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Second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. By paragraph 4 of its resolution 1291 (2000) of 24 February 2000, the Security Council authorized the expansion of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to consist of up to 5,537 military personnel and appropriate civilian support staff. The mandate of MONUC is set out in paragraph 7 of that resolution.

2. By paragraph 19 of resolution 1291 (2000), the Security Council requested the Secretary-General to provide a report every 60 days to the Council on progress in the implementation of the Ceasefire Agreement and of that resolution. The present report is submitted in accordance with that request.

II. Political developments

3. During the month of January 2000, the Security Council conducted a series of meetings devoted to Africa. In the final week of the month, the Council discussed the situation in the Democratic Republic of the Congo with the participation of several regional Heads of State. These included the President of the Democratic Republic of the Congo, Laurent-Désiré Kabila; the President of Angola, José Eduardo dos Santos; the President of Mozambique, Joaquim Alberto Chissano; the President of Rwanda, Pasteur Bizimungu; the President of Uganda, Yoweri Kaguta Museveni; the President of Zambia, Frederick J. T. Chiluba; and the President of Zimbabwe, Robert G. Mugabe. The Minister for Foreign Affairs of Namibia, Theo-Ben Gurirab, currently President of the General Assembly, also attended. A record of the proceedings of the meeting is contained in document S/PV.4092.

4. On 25 January, I invited the visiting Heads of State and the Foreign Ministers to a meeting at which the situation in the Democratic Republic of the Congo was discussed. The Minister for Foreign Affairs of South Africa, Nkosazana Dlamini-Zuma, and the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire, former Head of State of Botswana, also took part, as did the Permanent Representative of the United States of America in his capacity as President of the Security Council, the personal envoy of the Chairman of the Organization of African Unity (OAU), the Chairman of the Joint Military Commission established by the Lusaka Agreement, my Special Representative for the Democratic Republic of the Congo, Kamel Morjane, and my Special Representative for the Great Lakes region, Berhanu Dinka. Participants were briefed on the concept of operations proposed by the United Nations to assist the parties to carry out the Lusaka Agreement, which was set out in my report to the Council dated 17 January 2000 (S/2000/30). I also conducted separate meetings with all the visiting Heads of State and Foreign Ministers, and with the neutral facilitator.

5. Following preparatory meetings of the Joint Military Commission and the Political Committee, the Heads of State and leaders or senior figures of the Congolese movements met at Lusaka on 23 February 2000 under the chairmanship of President Chiluba. The participants issued a communiqué reaffirming their support for the Lusaka Ceasefire Agreement; welcoming the imminent adoption by the Security

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Council of resolution 1291 (2000); and establishing a new implementation calendar for the Lusaka process as from 1 March 2000.

6. On 9 April, President dos Santos, the President of Namibia, Sam Nujoma, and President Mugabe met with President Kabila at Kinshasa pursuant to a decision taken during the Namibian independence celebrations in Windhoek. The four Presidents issued a communiqué in which they called upon the United Nations to deploy military observers as soon as possible to prevent a deterioration in the military situation which, it was feared, might lead to large-scale hostilities. The Presidents also called on the neutral facilitator to convene the inter-Congolese dialogue as soon as possible.

7. On 10 April, President Kabila held a special cabinet meeting, which, *inter alia*, resulted in the issuance of a statement reiterating the Government's support for the inter-Congolese dialogue and containing an invitation to the neutral facilitator to play to the full the role envisaged for him in the Lusaka Agreement by resuming his activities in the Democratic Republic of the Congo.

8. On 14 April, as the present report was being completed, a series of violent explosions devastated Kinshasa airport and caused an unknown number of casualties. It was not possible at the time of writing to determine the cause of the incident. MONUC immediately placed its vehicle fleet at the disposal of the authorities to take the injured to hospital.

III. Follow-up to resolution 1291 (2000) and deployment of the Mission

9. By paragraph 5 of its resolution 1291 (2000), the Security Council decided that the phased deployment of MONUC personnel would be carried out as and if the Secretary-General determined that they would be able to deploy to their assigned locations and carry out their functions in conditions of adequate security and with the cooperation of the parties, and that he had received firm and credible assurances from the parties to that effect, and requested the Secretary-General to keep the Council informed in that regard.

Visit of the Under-Secretary-General for Peacekeeping Operations

10. Accordingly, at my request, the Under-Secretary-General for Peacekeeping Operations visited the Democratic Republic of the Congo and the other belligerent States and rebel movements in March in order to inform them of the provisions of resolution 1291 (2000) and of the United Nations plans for deployment in the Democratic Republic of the Congo. The Under-Secretary-General also stressed to the parties the need for their full adherence to the Lusaka Ceasefire Agreement, including its ceasefire provisions, and their cooperation with and support for MONUC in its deployment and operations. In the case of the Government of the Democratic Republic of the Congo, he laid great stress on the need for MONUC to enjoy full freedom of movement within the country. Concerns had arisen over this matter since the authorities had in several cases refused or delayed the provision of clearances for MONUC aircraft to take off from the airport at Kinshasa.

11. During his visits, the Under-Secretary-General met with the Heads of State of the Democratic Republic of the Congo, Namibia, Uganda and Zimbabwe and senior members of their Governments. In Rwanda he met with the Minister for Foreign Affairs, the Minister in the Office of the President and the chief of military staff. He also met in Rwanda and Uganda with the leaders of and/or senior figures in both wings of the Congolese Rally for Democracy (RCD).

12. Since the Minister for Foreign Affairs of Angola was in New York at that time, he received a briefing from the Assistant Secretary-General for Peacekeeping Operations. My Special Representative met in Gbadolite with the leader of the Movement for the Liberation of the Congo (MLC), Jean-Pierre Bemba, on 17 March. Later on the same day, Mr. Morjane also met the President of the Central African Republic, Ange-Félix Patassé.

13. All the leaders and senior officials who met with the Under-Secretary-General undertook to extend their full cooperation to the United Nations and to MONUC, to adhere to the Lusaka Ceasefire Agreement and to comply with Security Council resolutions. In Kinshasa, the Under-Secretary-General submitted to the Government a draft status-of-forces agreement, as called for in paragraph 10 of resolution 1291 (2000).

Nonetheless, as described below, developments since the Under-Secretary-General's visit show that some of the undertakings made to him have not been respected.

14. MONUC has now deployed 111 military officers (see annex). Some of these officers are stationed in the capitals of the belligerent States (Harare, Kampala, Kigali, Kinshasa, Luanda and Windhoek), as well as at Addis Ababa, Bujumbura and Lusaka to ensure liaison with the Joint Military Commission and OAU.

15. Within the Democratic Republic of the Congo, outside the capital, military officers are stationed at 10 locations: Boende, Bunia, Gbadolite, Gemena, Goma, Isiro, Kananga, Kindu, Kisangani and Lisala.

16. Immediately following the visit of the Under-Secretary-General to Kinshasa, a MONUC military and logistical survey team was permitted for the first time to make preliminary visits to Matadi, Mbandaka and Mbuji Mayi. As indicated in my previous report (S/2000/30, para. 68), the concept of operations approved by the Council calls for the deployment of reinforced battalions at Mbandaka, Mbuji Mayi, Kindu and Kisangani. MONUC has had teams stationed at the latter two locations for some time.

17. The use of the seaport at Matadi is also essential to reduce the costs of the MONUC operation as far as possible, since it would permit supplies and equipment to be brought by sea and transported to Kinshasa by rail, from where they could be transported across the country by the extensive inland waterway system, if the parties and the security situation so permit. If not, all deployment and sustainment, including resupply, rotation and medical and casualty evacuation, will have to be effected by air, greatly adding to the cost and risks of the operation.

18. At all three locations (Matadi, Mbandaka and Mbuji Mayi), as well as at Kananga, which the Government suggested as an alternative location to Mbuji Mayi, the team made a preliminary study of the facilities and infrastructure, including the airstrip and the availability of suitable accommodation, fresh water and electricity, and road and river links. While further study will be needed, there are indications that with the full cooperation of the national and local authorities it would be possible to deploy in those locations after the necessary preparations have been made. However, following the departure of the Under-Secretary-General, the authorities again refused to grant MONUC flight clearances between 19 and 22 March, though clearances have since been granted. Nonetheless, it has not yet proved possible for MONUC to pay follow-up visits to Matadi, Mbandaka or Mbuji Mayi to proceed with the necessary reconnaissance and preparations.

19. MONUC will continue its discussions with the Government and other parties in an effort to deploy military liaison officers to a number of locations, pending its full deployment; these include Bukavu and Kalemie in addition to Matadi, Mbandaka and Mbuji Mayi. MONUC would also seek to deploy teams to Kabinda and Kabalo, the sites selected for initial deployment by the Joint Military Commission. There is already a regional Joint Military Commission at Kabinda, but it has not yet been possible to deploy the Joint Military Commission/OAU team to Kabalo. Repeated efforts to co-locate a MONUC team with the Joint Military Commission team at Kabinda have so far failed for a variety of reasons, including outbreaks of fighting in the immediate vicinity.

20. The deployment of MONUC is likely to be affected by the damage caused to the infrastructure at Kinshasa airport. The two MONUC aircraft at the airport at the time of the explosions will remain out of action until they have been thoroughly inspected, and the use of the airport as a major port of entry for MONUC personnel, equipment and supplies may be impaired pending its restoration.

Decisions of the Joint Military Commission and the Political Committee

21. On 4 April, pursuant to a request from MONUC, the Joint Military Commission met at Kampala, *inter alia*, to discuss a draft plan for the disengagement from confrontation lines of belligerent forces and their redeployment to designated assembly points under MONUC monitoring. The plan was drawn up by MONUC pursuant to paragraph 7 (c) of resolution 1291 (2000). The Joint Military Commission submitted the draft, with minor amendments, to the Political Committee, which met at Kampala immediately afterwards.

22. On 8 April, following detailed scrutiny by the senior military representatives of the parties, the Political Committee adopted the plan. In doing so, the parties agreed to a total cessation of hostilities from 14 April (D-day); the withdrawal of all forces to a

distance of 15 km from the confrontation line; and the creation of a 30-km wide zone of disengagement. In accordance with the plan, all parties undertook to provide a secure environment in the areas under their control and to facilitate the access of United Nations personnel and guarantee their freedom of movement.

23. The plan, the implementation of which is to be verified by MONUC and the Joint Military Commission, calls for forces to redeploy simultaneously to new defensive positions in accordance with an agreed sequence. This will require MONUC and the Joint Military Commission to draw up a separate and detailed sub-plan for each area where troops are engaged, on the basis of additional military information to be provided by the parties.

24. The plan also comprises a calendar, which commences with the signing of the plan on 8 April. On that date, the political leadership of the parties as represented by the Political Committee issued orders to their respective military commanders to cease fire. The Defence Chiefs of each party have agreed to confirm their receipt of the orders and to provide copies of the orders to MONUC and the Joint Military Commission. So far, MONUC has received copies of orders issued by all parties except MLC.

25. Starting on 21 April, the parties are required to provide MONUC and the Joint Military Commission with detailed military information, area by area, so that the planning for disengagement may be completed. Thereafter, the withdrawal of the parties will create a demilitarized zone around the line of confrontation, followed by sequential verification, zone by zone, by MONUC observers during the period D+30 to D+86, i.e., approximately mid-May to mid-July. The plan also calls for the deployment of MONUC phase II between mid-May and approximately mid-September.

26. The Political Committee also agreed that, once disengagement had been completed, which is scheduled to occur 10 weeks after the coming into force of the plan (D+70), the headquarters of the Joint Military Commission should be co-located with MONUC headquarters at Kinshasa, subject to the provision of security guarantees for all its members, and that joint support and administrative structures should be established there.

27. The Political Committee noted that some parties were still in the process of finalizing their plans to release prisoners of war and hostages in cooperation with the International Committee of the Red Cross, and called on those parties to complete their plans promptly. The Political Committee, noting that the neutral facilitator for the inter-Congolese dialogue had opened an office in Kinshasa, also noted that progress in this regard would significantly reinforce efforts towards the successful implementation of the Lusaka Agreement.

28. The implementation of the disengagement plan will lend impetus to the deployment of the second phase of MONUC. In order to deploy, MONUC urgently needs a number of specialized military units and additional aircraft. These include flight operations teams, airfield crash rescue and firefighting, cargo handling, fuel servicing and water processing units, as well as the necessary equipment. Without the advance provision of these services, the deployment and sustainment by air of military units in the interior of the Democratic Republic of the Congo will become exceedingly difficult and dangerous to the point where, in effect, deployment cannot proceed. Accordingly, the Secretariat has addressed urgent pleas to potential troop-contributing countries in order to obtain these and other support units, as well as the remaining infantry battalions required.

IV. Military developments

29. On the basis of reports from MONUC, the Secretariat has informed the Security Council of a number of breaches of the ceasefire and the persistence of military preparations on several fronts in the Democratic Republic of the Congo. The Permanent Representatives of the Democratic Republic of the Congo, Rwanda and Uganda wrote separately to the President of the Security Council during the month of March concerning allegations of violations of the Lusaka Ceasefire Agreement.

30. During February, fighting continued around Mbandaka, where Government troops and the MLC forces were reportedly engaged in clashes; around Ikela, where Zimbabwean, Namibian and Congolese troops relieved the encirclement of an allied force; and in the east, where clashes between armed groups and Rwandan and rebel forces were reported.

31. The Secretariat also received reports at that time, supported by video footage, concerning the fighting between the Lendu and Hema communities of

Orientale Province. The Government of the Democratic Republic of the Congo claimed that more than 7,000 had died in these clashes, which they describe as genocide.

32. Unrest was also reported from Goma and Bukavu, where the local population conducted strikes against the RCD authorities from 31 January to 6 February. The difficult economic situation and the Rwandan occupation were also cited as reasons.

33. The chain of acts of civil disobedience culminated in RCD-Goma's refusal to allow Archbishop Kataliko to return to his parish in Bukavu. The disturbances were accompanied by the re-emergence of Radio patriotique, which is known to have broadcast anti-Tutsi messages in August 1998 inciting massacres of Tutsis in Bukavu and Uvira. According to a credible source, during the broadcast, Radio patriotique called upon the people of Bukavu to "sharpen their machetes, lances and spears in order to be ready for the next phase".

34. According to a report received from a non-governmental organization, an estimated 150,000 Banyamulenge are surrounded, and are at risk of violent attack in South Kivu. There is a fear that ethnically based communal violence has the potential to engulf the whole subregion. A Banyamulenge organization called Forces républicaines et fédéralistes has sent a message to the Secretary-General complaining of large-scale violations of human rights in the eastern Democratic Republic of the Congo and warning that the stage was being set for a genocide directed at the Banyamulenge.

35. In March, RCD-Goma and the Rwandan army reportedly launched an offensive southwards and westwards in Kasai Province. Forces of RCD-Goma and the Rwandan Patriotic Army seized the town of Idumbe on 12 March, and advanced further westwards the following day towards Longa and Lodi. According to the same reports, they also attacked the town of Bena Leka, which lies astride the strategically important rail/road link between Ilebo and Kananga. The port of Ilebo is a vital link in the Government supply line to its forces in Kasai and Katanga. RCD-Goma and the Rwandan Patriotic Army were also reportedly continuing their efforts to cut off Kabinda from Mbuji Mayi.

36. At the same time, RCD-Goma complained to MONUC of a number of attacks launched by pro-Government Mayi-Mayi fighters, sometimes assisted by Burundian rebels, against Fizi and in the vicinity of Uvira in South Kivu.

37. MONUC has received reports to the effect that the Congolese Armed Forces are planning an attack against MLC along the Ubangui River and against Basankusu; MLC were reported to be training several hundred recruits.

38. In view of the upsurge in military activity by MLC, which began in early April, MONUC also understands that military commanders allied to the Government of the Democratic Republic of the Congo fear further attacks by the rebels on the key town of Ilebo and on Mbandaka.

39. The Force Commander of MONUC, Major General Mountaga Diallo, assumed his duties on 4 April and took part in the meetings of the Joint Military Commission and the Political Committee at Kampala.

V. Cooperation with the Joint Military Commission

40. By paragraph 6 of its resolution 1291 (2000), the Security Council decided that MONUC would establish, under the overall authority of the Special Representative of the Secretary-General, a joint structure with the Joint Military Commission that would ensure close coordination during the period of deployment of MONUC, with co-located headquarters and joint support and administrative structures.

41. In view of the policy of the Joint Military Commission to relocate its headquarters to Kinshasa, MONUC has continued to proceed on the assumption that the co-location will be established there. In-depth discussions in New York and Lusaka with General Lallali, the Chairman of the Commission, have helped to clarify the precise relationship between the two organizations and their respective functions. Following additional discussion of this matter at the Political Committee meeting at Kampala in April (see para. 26 above), a more detailed picture has emerged of how the two organizations would work together in Kinshasa.

42. As a full participant in the central Joint Military Commission in Kinshasa, MONUC would expect to be able to propose the convening of Commission meetings and to initiate their agenda. Decisions would be taken

by consensus. MONUC would then expect the parties to abide by the decisions taken by the Commission and to implement those decisions in the field under United Nations verification. Though the Joint Military Commission would continue to report to the Political Committee established by the Lusaka Agreement, military information and analysis about the situation on the ground would be provided to it by MONUC on the basis of reports from its sectors and military observers, and those of the regional Joint Military Commissions and OAU verifiers.

43. During his visit to the Democratic Republic of the Congo and the other States parties to the Lusaka Agreement in March 2000, the Under-Secretary-General raised with all his interlocutors the need to strengthen the Joint Military Commission and to relocate it as soon as possible to Kinshasa. In subsequent letters to the Heads of State concerned, he stressed the need to resolve any security-related misgivings that had been expressed by the Governments of Rwanda and Uganda.

44. Pending the relocation of the Joint Military Commission to Kinshasa, MONUC has taken steps to improve communications between MONUC headquarters in Kinshasa and the temporary site of the Joint Military Commission in Lusaka. MONUC is also deploying additional planning officers to the Commission to assist in the analysis of information.

45. Nevertheless, the Joint Military Commission continues to experience significant operational and organizational difficulties. When MONUC urgently convened a meeting of the Commission in Lusaka on 20 March in connection with reports of offensive military action in Kasai, many representatives were absent, as was the Chairman. Nor was there any follow-up to the decisions that were eventually taken. It has also become clear that the parties have not provided the Commission with the military information necessary for the development of plans for disengagement and redeployment, as called for by the Lusaka Agreement and by resolution 1291 (2000). Commission representatives have also experienced financial difficulties. It is not envisaged that the United Nations will assume any responsibility for the financial support of delegates sent to the Commission by the parties. The financial support of Commission members should remain the responsibility of the parties.

VI. Inter-Congolese dialogue

46. By paragraph 7 (h) of its resolution 1291 (2000), the Security Council decided that MONUC should cooperate closely with the facilitator of the national dialogue, provide support and technical assistance to him, and coordinate the activities of other United Nations agencies to that effect.

47. The inter-Congolese dialogue has not advanced, despite the acceptance by Sir Ketumile Masire of the role of neutral facilitator. There is increasing awareness that a peaceful solution of the conflict in the Democratic Republic of the Congo may not be possible in the absence of progress in the national dialogue called for in the Lusaka Agreement and which enjoys the support of the international community.

48. The participation of the facilitator in the Security Council debate on the Democratic Republic of the Congo in January provided a good opportunity to discuss his needs as well as the support that could be provided to him. It was clear to all that, in addition to the full cooperation of the parties, the facilitator will need considerable human, material and logistic support in order to succeed in his task.

49. To that end, a donors' meeting co-chaired by the United Nations and OAU was held on 27 January, at which the facilitator presented preliminary requirements for achieving the objectives of his mission. The United Nations and OAU called on Member States to provide the assistance needed and pointed out that financial contributions could be made to the United Nations Trust Fund to support the peace process in the Democratic Republic of the Congo, as well as to the OAU Peace Fund. Some Member States have indicated their intention to provide the assistance needed, and others have confirmed previously announced pledges.

50. In consultation with OAU, the Secretariat has been working with the facilitator to assess his requirements and encourage donors to contribute to the cost of his operations. Since the donors' meeting, the Secretariat has met twice with the Permanent Mission of Botswana to discuss and finalize the budget for the facilitator. Some Member States have also been assisting the facilitator in this regard. During the recent visits of the facilitator to the Democratic Republic of the Congo, MONUC provided him with assistance and support.

51. During the debate in the Security Council, President Kabila declared his readiness to begin the national dialogue and to guarantee the security of all participants. He also met with the facilitator in New York on 27 January. Since then, the facilitator has held a number of discussions with some of the other parties concerned on the organization of the national dialogue. From 11 to 17 February, he visited Kinshasa, where, in addition to another meeting with President Kabila, he met with representatives of the opposition and of civil society, as well as with my Special Representative. The facilitator then visited Kigali and Kampala, where he met with representatives of the rebel groups.

52. Despite those positive steps, the facilitator has continued to encounter a number of difficulties in the fulfilment of his task that are preventing him from pursuing his consultations and are delaying the organization of the dialogue.

53. Though a number of Member States have made pledges or contributions to the United Nations Trust Fund to help finance the facilitator's activities, more resources will be required to supplement the support that MONUC will be able to provide.

54. Moreover, during his visit to Kinshasa from 20 to 22 March, the facilitator was not able to travel within the Democratic Republic of the Congo and had to cut short his visit to the country following the Government's refusal to give clearance for him to travel outside Kinshasa in the aircraft MONUC had placed at his disposal. Mr. Masire issued a statement in which he deeply regretted that unfortunate situation and hoped that the Government would realize the necessity of assisting him to carry out his mandate. Since then, he has been invited by the Government to return to the Democratic Republic of the Congo, and has agreed to do so. It is obvious, however, that the facilitator will not be able to play an effective role unless his freedom of movement and capacity to perform his task are reliably guaranteed.

VII. Human rights

55. The human rights situation in the Democratic Republic of the Congo — whether in Government or rebel-held territory — remains grave. The ongoing conflict has only served to exacerbate the already dire situation. Reports continue to be received of massacres, executions, arbitrary arrests, illegal detentions, torture, inhuman and degrading treatment of suspects and detainees, as well as the imposition of restrictions on freedom of expression, association and movement. This situation cannot improve without strict respect for the ceasefire and compliance with the terms of the Lusaka Agreement.

56. In spite of the 10 December statement by the Minister for Human Rights suspending the use of capital punishment, the Military Court of Justice has sentenced and executed 19 persons, some only hours after they were sentenced. The statutes of the Military Court of Justice make no provision for appeals. Another 85 persons have been sentenced and await execution.

57. At the same time, as was noted in my last report, the Government has continued to free political prisoners, in accordance with the Presidential Decree of 19 February 2000 on the amnesty law. To date, more than 250 prisoners have been released in Kinshasa and in Katanga Province. However, it should be noted that most of those recently released were military officers and not civilian political detainees. On 8 March, a 13-member Ad Hoc Commission (Commission ad hoc chargée de veiller à la stricte application du décret) headed by the Minister of Justice was established and charged with ensuring the strict application of the Presidential Decree on amnesty; the Commission is mandated to review the cases of those persons who stand to benefit from the amnesty. The positive effects of the amnesty law are countered by the continuing restrictions on political parties and activities under Decree Law No. 194.

58. In rebel-held territories, human rights and civil society activists are constantly harassed and threatened by rebel leaders. Since Archbishop Kataliko was prevented from returning to his diocese in February, tensions between the civilian population and RCD continue to rise. Days of protest against the foreign forces have been organized by the local populations in Bukavu, Goma, Kindu and Kisangani.

59. On 29 March, the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Roberto Garretón, submitted his sixth report to the Commission on Human Rights. He expressed his deep concern about the continuing violations of human rights and international humanitarian law by all parties to the conflict, particularly the massacres in the eastern part of the

country, and continuing violations of the freedom of opinion and expression of journalists and human rights defenders.

60. It is important to note that all parties to the conflict now openly recognize that gross violations of human rights and international humanitarian law have occurred and continue to occur throughout the territory of the Democratic Republic of the Congo, and they are now calling for investigations into allegations of massacres.

61. In my last report, I noted the allegation that 15 Congolese women had been buried alive at Mwenga, South Kivu Province. From 28 January to 15 February 2000, at the request of the United Nations High Commissioner for Human Rights, a two-person team from the human rights field office in the Democratic Republic of the Congo conducted a preliminary investigation into the Mwenga massacre. Although the team visited Bukavu, Bunia and Goma, it did not gain access to Mwenga itself because of the precarious security situation. However, it was able to collect first-hand information and interview some eyewitnesses. On the basis of these preliminary findings, the human rights team ascertained that the incident did indeed take place. However, since many important details remain undetermined, a more in-depth investigation with anthropological and forensic capability is needed.

62. The first deployment of human rights officers in MONUC has been completed. In accordance with the memorandum of understanding between the Department of Peacekeeping Operations and the Office of the United Nations High Commissioner for Human Rights, they received a briefing from the human rights field office. As part of the phase II deployment of MONUC, additional human rights officers will be deployed to the Democratic Republic of the Congo, in areas controlled by the Government and by the rebel forces. Their presence will increase the capacity of MONUC to monitor the human rights situation in the country.

VIII. Humanitarian aspects

63. Humanitarian needs in the Democratic Republic of the Congo have attained massive proportions, with some 1.3 million internally displaced persons and 300,000 refugees, and a further estimated 14 million people are in need of humanitarian assistance. Overall, the humanitarian situation in the eastern part of the country has deteriorated rapidly since the start of the year, with some 550,000 internally displaced people caught up in the war.

64. According to reports emerging from the Ituri area, in Fataki and Rethy north of Bunia, major humanitarian problems have been found by relief agencies. The Hema, Lendu and Nande ethnic groups are currently locked in a dispute over land allocation in this area, causing mass population displacement. Following a series of threatening incidents, relief agencies were forced to limit their activities or withdraw from the area completely.

65. The fighting in the Kivus has also resulted in major population displacements since the beginning of the year. An estimated 60,000 newly displaced have fled to Uvira and along the Ruzizi plains, and reports indicate that 15,000 to 20,000 persons (mainly Banyamulenge) are from the Moyen Plateau. The total number of displaced in South Kivu is estimated at 300,000, with a further 250,000 people displaced in North Kivu. Meanwhile, most of South Kivu is inaccessible for the relief community.

66. Last month, some 700 Banyamulenge arrived in Bujumbura, fleeing fighting and attacks by armed groups in South Kivu. UNHCR received this group and undertook an evaluation of their assistance and protection needs. According to reports there is another group from the same area, estimated to be around 1,200 Banyamulenge, in Uvira being prevented from crossing into Burundi. Insecurity has prevented UNHCR from carrying out assessments in this area.

67. Early in April, the Deputy Emergency Relief Coordinator undertook a mission to the Democratic Republic of the Congo to evaluate coordination arrangements and the current response by the relief community to the needs of the vulnerable populations. Both sides reaffirmed their commitment to complying with the principles of engagement for humanitarian assistance, recognizing the impartiality and neutrality of humanitarian action and pledging full support to cross-line operations to assist all vulnerable populations regardless of location.

68. The recommendations resulting from the mission include the need to strengthen assistance coordination throughout the whole country and to expand humanitarian operational space through continued dialogue with all parties. In addition, it was

recommended that the United Nations should undertake a number of confidence-building measures through specific cross-line actions, such as national days of immunization, demobilization of child soldiers and family reunification. In Kinshasa, the Office for the Coordination of Humanitarian Affairs raised a number of issues with the Government, including the restrictive currency exchange controls. Relief operations remain prohibitively expensive and unsustainable despite the Government's introduction of a more favourable dollar exchange rate for the Congolese franc.

69. To date there has been an extremely poor donor response to the 2000 United Nations Consolidated Appeal, by which $73.1 million was requested. Less than 4 per cent, or $1.2 million, has been received to date to support the needs of the most vulnerable. The 1999 Appeal, by which $38 million was requested, has had a 17 per cent response rate.

IX. Child protection

70. As indicated in my previous reports, the priorities for child protection continue to be the issue of access to war-affected children for the provision of humanitarian assistance; the demobilization and reintegration of child combatants; the protection and safe return of internally displaced and refugee children; and the training and sensitization of peacekeeping personnel (civilian and military) in addressing the needs of war-affected children. With the deployment and arrival of the first few child protection advisers in MONUC during the reporting period, closer attention has begun to be paid to these issues in close coordination with UNICEF and national authorities.

71. Since my last report, the child protection staff of MONUC has developed and implemented an orientation/training programme for incoming military liaison officers on issues relating to war-affected children and participated in meetings with United Nations agencies and local and international non-governmental organizations on addressing the needs of those children. Field missions have also been undertaken to Bunia, Bukavu, Goma, Kalemie, Kampala and Kisangani for talks with the two wings of RCD on the needs of children in areas under their control. Discussions followed up on commitments made to my Special Representative for Children and Armed Conflict in February 1999 with regard to refraining from the recruitment of those under the age of 18, planning for the disarmament, demobilization and reintegration of child soldiers, and improving access to health, nutrition, education and shelter for displaced and orphaned children.

X. Financial aspects

72. Pursuant to Security Council resolution 1291 (2000), I requested the General Assembly to grant me commitment authority, with assessment, in the amount of $200 million to ensure that MONUC is provided with the necessary resources to cover its immediate requirements and to enable it to initiate logistical preparations for the phase II deployment as mandated by the Council. By its resolution 54/260 of 7 April 2000, the General Assembly granted the requested commitment authority of $200 million, inclusive of $41 million previously authorized for MONUC by the Advisory Committee on Administrative and Budgetary Questions, and approved assessment of this amount on Member States.

73. With regard to the Trust Fund to support the peace process in the Democratic Republic of the Congo, as at 13 April 2000 contributions and pledges amounted to $1.6 million.

74. The total outstanding assessed contributions for all peacekeeping operations at 31 March 2000 amounted to $1,903.3 million.

XI. Observations

75. There have been recently a number of indications of progress in the Lusaka process. These include, in particular, the undertakings of cooperation made by the leaders of the Democratic Republic of the Congo and the other signatory States during the visit of the Under-Secretary-General for Peacekeeping Operations; the decision of the Political Committee on 8 April in Kampala to adopt the disengagement and redeployment plan submitted by MONUC and the Joint Military Commission; the communiqué issued by the allied Presidents the following day in Kinshasa calling for the speedy deployment of MONUC military observers; and the outcome of the special cabinet meeting of the Government of the Democratic Republic of the Congo on 10 April.

76. At the same time, however, notwithstanding the clear assurances provided by the parties to the Lusaka Ceasefire Agreement, fighting has been taking place on several fronts in the Democratic Republic of the Congo, apparently in connection with well planned and organized military action aimed at strategic objectives. There are also indications, including the purchase of arms and the recruitment and training of troops by some of the parties, that they may be preparing for new military activities. These developments have raised questions about the commitment of the parties to the ceasefire.

77. I am particularly disturbed at the repeated warnings that have been received from knowledgeable observers that certain populations in the Kivus and in the Ituri district may be the victims of widespread ethnic violence. I call on all those with influence over the situation in those areas to do their utmost to reduce the level of tension and to seek peaceful solutions to the conflicts there.

78. One important indicator of the commitment of the parties is the degree of access that MONUC will enjoy to the sites provisionally selected for the deployment of the four battalions that will comprise the bulk of the phase II force. While delays do continue to arise in the granting of flight clearances, MONUC intends to proceed on the basis that the Government of the Democratic Republic of the Congo and the other parties will cooperate with the Mission's plans to undertake comprehensive surveys of these locations with a view to deploying there if the conditions are found to be acceptable.

79. It is hoped that, with the cooperation of the Government of the Democratic Republic of the Congo and the parties, and given adequate security conditions, it should be possible to complete the deployment of military liaison officers to Bukavu, Kabalo, Kabinda, Kalemie, Mbandaka and Mbuji Mayi within a very short space of time. The Secretariat will also continue actively to carry out the logistical preparations for phase II with a view to preparing for the deployment of the first contingents as soon as possible. In this regard, the issuance by the military commands of the belligerents of the necessary ceasefire orders is an important step forward. In the meantime, MONUC will do everything it can to assist the parties to finalize their disengagement plans pursuant to the 8 April agreement and to monitor their implementation. To that end, MONUC will deploy as soon as possible, with the aid of additional air assets.

80. Given the assumption of cooperation, the timely provision by troop-contributing countries of the necessary military personnel, especially specialized military units, becomes all the more important and urgent. In this context, I commend those countries which have confirmed their readiness to provide some of the necessary indispensable services, and invite others to consider providing the specialized units that remain to be identified in order to ensure the deployment and sustainment of MONUC in conditions of adequate safety.

81. For the immediate future, it is also necessary to continue efforts to enhance the capability of the Joint Military Commission, to enable it to meet promptly when required and address all ceasefire violations, as well as the other matters before it, in a timely and effective manner. The decision of the Political Committee of 8 April to support the co-location of the Joint Military Commission with MONUC in Kinshasa is a significant step forward in this respect. I look forward to further indications that all the parties to the Lusaka Agreement will adhere to the undertakings they have made in signing the accord, as well as those they gave to the Under-Secretary-General, and which they essentially reiterated at Kampala on 8 April. I also wish to express my appreciation to the Governments of Argentina, India, Japan, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America for their contributions to the Joint Military Commission and/or the Trust Fund to support the peace process in the Democratic Republic of the Congo.

82. The inter-Congolese dialogue is a critical component of the effort to facilitate a comprehensive negotiated settlement of the conflict in the Democratic Republic of the Congo. The facilitator needs the full cooperation of the Government of the Democratic Republic of the Congo and the relevant Congolese parties in the task assigned to him. He also needs the strong support and assistance of the international community, and I urge all those in a position to help to contribute generously to the United Nations Trust Fund.

83. I am shocked at the death, injuries and destruction caused by the explosions at Kinshasa airport on 14 April. I note that MONUC immediately

offered its fleet of vehicles for the use of the authorities to transport the injured to hospitals. MONUC will continue to do everything it can to assist the authorities in its relief efforts. I extend my sincere condolences to the families of those who lost their lives in this terrible incident, and my hopes to the injured of a speedy recovery.

84. Finally, I wish to thank my Special Representative and all the military and civilian personnel of MONUC for the efforts they have made over the past few months, often in very challenging circumstances.

Annex

United Nations Mission in the Democratic Republic of the Congo: contributions as at 11 April 2000

Country	*Staff officers*	*Military liaison officers*	*Total*
Algeria	1	6	7
Bangladesh	-	4	4
Benin	2	2	4
Bolivia	-	2	2
Canada	1	-	1
Egypt	1	7	8
France	1	2	3
Ghana	-	4	4
India	3	6	9
Italy	1	-	1
Kenya	2	-	2
Libyan Arab Jamahiriya	-	3	3
Mali	-	3	3
Nepal	-	6	6
Pakistan*	6	7	13
Poland	1	-	1
Romania	1	7	8
Russian Federation	1	4	5
Senegal	-	5	5
South Africa	-	1	1
Sweden	-	2	2
United Kingdom of Great Britain and Northern Ireland	5	1	6
United Republic of Tanzania	-	2	2
Ukraine	1	1	2
Uruguay	2	3	5
Zambia	-	4	4
Total	**29**	**82**	**111**

* Including five clerks under staff officers.

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United Nations S/2000/330/Corr.1

Security Council

Distr.: General
23 May 2000

Original: English

Second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

Corrigendum

1. **Paragraph 3**

After Theo-Ben Gurirab, currently President of the General Assembly, *insert* and the Secretary-General of the Organization of African Unity (OAU), Salim Ahmed Salim,

2. **Paragraph 4**

After I invited the visiting Heads of State *insert* , the Secretary-General of OAU

00-44520 (E) 230500

United Nations S/2000/331

Security Council

Distr.: General
18 April 2000

Original: English

Letter dated 17 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to lodge a protest over the practice of the United Nations Interim Administration Mission in Kosovo (UNMIK) of flying Albanian flags in addition to the flags of the United Nations on its buildings in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia. The most recent instance has been the flying of the Albanian flag on an UNMIK building at Suva Reka, which has continued despite the protest of the Federal Republic of Yugoslavia.

The improper practice of the international presence represents outright support to ethnic Albanian terrorist separatists, contrary to international law and Security Council resolution 1244 (1999) of 10 June 1999, specifically its express provisions on the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. By flying the flag of a foreign State, flown also by the members of the so-called Kosovo Liberation Army, some segments of UNMIK have deliberately allied themselves with those forces that call for the separation of this Serbian province from the Republic of Serbia and its eventual secession from the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

00-39644 (E) 180400

United Nations S/2000/332

Security Council

Distr.: General
18 April 2000

Original: English

Letter dated 17 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

It is with shock and dismay that I am writing to inform you that ethnic Albanian terrorist separatists have committed yet another heinous crime in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia. In an attempt to prevent the Serbs from returning to their homes, they burned down and bulldozed 250 Serbian houses in the village of Belo Polje, near Pec, on 15 April 2000. The Serbs left the village last June, fleeing ethnic Albanian terrorism that erupted in the wake of the arrival of the Kosovo Force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK) to this Serbian province. Before burning and bulldozing them, the ethnic Albanian terrorist separatists looted the Serbian houses, ferrying all the furniture and other belongings in over 15 trucks. The crime is telltale proof that the intention of the ethnic Albanian terrorist separatists was to erase every trace of the existence of the village, to prevent the Serbs from ever returning to their homes and to complete the ethnic cleansing.

This act of modern-day vandalism lasted for hours. Yet, KFOR and UNMIK did nothing to prevent it from taking place. By their indifference, the international presences demonstrated once again that they are unable, or unwilling, to carry out one of their main tasks mandated by Security Council resolution 1244 (1999) of 10 June 1999: ensuring a secure environment and providing personal and property security for all residents of Kosovo and Metohija. By failing to act, they have violated the said resolution and exacerbated the already difficult situation in Kosovo and Metohija, discouraging the return of Serbs and other non-Albanians to which the international community has made a firm commitment.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

00-39636 (E) 190400

United Nations S/2000/333

Security Council

Distr.: General
18 April 2000
English
Original: French

Letter dated 17 April 2000 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Acting on instructions from my Government, I have the honour to transmit to you herewith the position of the Democratic Republic of the Congo on the Lusaka process.

I. Situation following the signing of the Lusaka Agreement by the Heads of State

Although the Congolese State agreed, during the negotiations, that the so-called rebels would also sign the Agreement, it took more than two months for the aggressors to authorize their protégés to sign, in turn, on 31 August 1999.

This situation was a sign that there would be difficulties in getting the aggressors to implement the Agreement. Indeed, the latter went on to commit countless violations. A detailed report of these violations is annexed hereto.

The Democratic Republic of the Congo has always been willing to implement the Lusaka Agreement. For example, the Congolese Government provided the Regional Joint Military Commission of Lisala, Boende and Kabinda with the resources it needed.

The Democratic Republic of the Congo would like the international community to support the Congolese people in their efforts to achieve unity and peace, contrary to the aims of the aggressors.

II. Position of the Government of the Democratic Republic of the Congo

In the context of the implementation of the Lusaka Agreement, the Congolese Government wants the inter-Congolese dialogue to be held according to schedule, in order that the democratization process in the Democratic Republic of the Congo may resume under the best conditions.

Thus the Government of the Democratic Republic of the Congo is asking the Facilitator, Mr. Ketumile Masire, to continue his work and to organize the inter-Congolese dialogue as soon as possible, in Kinshasa, in a spirit of harmony. The Government considers the Facilitator to be a wise African man who has come to help the Congolese people.

The choice of Kinshasa as the venue for the inter-Congolese dialogue is based on the following considerations:

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- The inter-Congolese dialogue is a matter that is related to the sovereignty of the Democratic Republic of the Congo;
- To have this dialogue take place far away and without the Congolese people would be ill-advised and might result in its resolution being contested by those same people;
- The National Sovereign Conference was held freely in Kinshasa and none of the participants was worried. The same was true of the members of civil society who came from every province of the Democratic Republic of the Congo to participate in the meetings at the Nganda Centre;
- At the national consultation which was initiated by the heads of the religious denominations no participant was worried;
- Representatives of the so-called rebels, including the first president of the Congolese Rally for Democracy, all factions taken together, and officials of the former regime, enjoy full personal freedom and are free to move throughout the territory under Government control;
- Finally, those who claim to lead the Congolese people should, in principle, draw closer to the people starting with Kinshasa, which is the seat of all institutions.

III. Conclusion

The determination of the Government of the Democratic Republic of the Congo to have the inter-Congolese dialogue take place and to democratize the country, and its earnest wish to see United Nations forces speedily deployed are strong and positive signals which show that the President of the Republic, Mzee Laurent Désiré Kabila, is determined to ensure that all the boys and girls of the country gather together and are reconciled and to work for peace in accordance with the provisions of the Lusaka Agreement.

It would therefore be desirable for the international community — starting with the traditional friends of the Democratic Republic of the Congo, who are expected to provide considerable support for the peace and national reconciliation process — to recognize this wish for peace, punctuated by amnesty. It would also be useful if the international community were to permit the speedy deployment of the United Nations Mission in the Democratic Republic of the Congo (MONUC) in accordance with the relevant Security Council resolutions concerning the situation in the Democratic Republic of the Congo with a view to securing the orderly, prompt and secure withdrawal of the aggressor forces.

My Government requests that you have this letter and its annex circulated as a document of the Security Council.

(*Signed*) André Mwamba **Kapanga**
Ambassador
Permanent Representative

Annex

Various violations of the Lusaka Agreement by the rebels and their allies

10, 12, 13 and 14 July 1999

Seven violations of the ceasefire on the part of the rebels reported following the signing of the Lusaka Agreement by the countries militarily involved in the war in the Democratic Republic of the Congo.

17 July 1999

The rebels and their allies attacked a boat belonging to the Southern African Development Community (SADC) allies that was carrying rations for the troops of the Congolese Armed Forces and allied forces stationed in Ikela.

That same day they also opened fire on a Cassa 212 aircraft belonging to the SADC allied forces that was on a supply mission to Ikela in the province of Équateur. Dimbelenge in the province of Kasaï Oriental was also attacked that same day.

29 July 1999

The rebels used light weapons and mortars in an attack on Bokungu Bosumonene in the province of Équateur.

31 July 1999

Attack on Lusengo and Bongandaga in the province of Équateur.

1 August 1999

A supply plane belonging to the Congolese armed forces and allies was attacked at Ikela. It did not suffer major material damage and returned unharmed to its base in the province of Équateur.

2 August 1999

The rebels made incursions to seize control of Munenge, Lubenga and Dimbelenge in Kasaï Oriental.

3 August 1999

The town of Makanza was attacked by the Rwandans.

24 August 1999

Attack on Tunta airport in Kabinda with heavy weapons, mortars and individual weapons. That same day, intensified rebel activities were reported in Bokungu, where the rebels engaged in mass recruitment of young people from that area. They also cut the roads so as to block supplies to the Congolese armed forces, while strengthening their position around Yakoma.

1 September 1999

The aggressors launched attacks against Bosange, Elengo and Mopono on the Maringa river and Wema on the Tshuapa river in the north-east sector. In the central sector, the rebels attacked the surroundings of Kabinda in Kasaï Oriental and Ikela in Équateur province.

They also tried to impose a blockade on the Congolese armed forces and their allies in an attempt to cut off their supplies.

2 September 1999

Rwandan troops, using heavy weapons, attacked the Congolese armed forces and their allies at Mbulula in the Lulua sector of Katanga.

8 September 1999

The aggressors attacked the town of Bulukutu, situated 95 km north-east of Boende. The same day, Mopono and Djolu were also attacked.

9 September 1999

They attacked a position of the Congolese armed forces and their allies near Lake Mukamba in Kasaï Oriental.

15 September 1999

The Rwandans not only attacked police units 45 km from Malemba-Nkulu in Katanga, but also crossed the river to Kongolo.

The Ugandan headquarters at Kisangani were withdrawn to Gbadolite in accordance with the timetable annexed to the Lusaka Agreement, which laid down that the aggressors also begin to withdraw.

20 and 21 September 1999

The aggressors attacked positions of the Congolese armed forces and their allies at Isambo, in Sud-Équateur on the Boende-Ikela highway.

This attack was accompanied by the violent suppression of Congolese elements who refused to attack government troops.

1 October 1999

The rebels occupied Bomongo in Équateur province. The attack was followed by reinforcement of the strength of the company which carried out this offensive to the point where it exceeded the size of a battalion. During the evening of the same day, troops and *matériel* were constantly being brought into that sector.

2 October 1999

Rwandan troops attacked the village of Kitenge in Kileta, near Kabinda, in Kasaï Oriental.

Thirteen (13) rebels were killed and several weapons, including AKA 47s and RPG7s, were recovered.

3 October 1999

Troops of the Mouvement pour la Libération du Congo (MLC) assembled some 2,000 rebel soldiers beyond Bomongo.

The Rwandans, for their part, attacked positions of the Congolese armed forces (FAC) in Kileta, 12 km from Kabinda. Of the 22 rebels killed, 21 were Rwandan and one was Ugandan.

7 October 1999

The aggressors launched an all-out attack on the Congolese armed forces and their allies at Kimalala, in the Luvua area, on the plateau overlooking Manono in Katanga.

The rebels massed troops newly arrived from Rwanda, Uganda and Burundi at Kole, Lodja and Dimbelenge and in Sankuru, thereby breaching one of the clauses of the Lusaka Agreement which prohibits troop movements.

8 October 1999

The aggressors attacked our positions in Kimalala and Kapondo, not far from Pweto, in Katanga. They also set up a mixed police force, composed of Rwandans, Ugandans and Congolese rebels from two RCS factions, in order to keep an eye on each other.

Rebel troops and equipment were reinforced in the provinces of Katanga, Équateur and the two Kasaï provinces. As a result, a battalion was added to the rebel unit which had attacked Bomongo.

9 October 1999

The aggressors again attacked our troops at Bolongo, not far from Bomongo, in Équateur. They used children as informants and systematically killed them once they had done their job.

12 October 1999

The aggressors occupied and cut off the communication and supply lines for our troops at Boende and Ikela in Équateur, in breach of the Lusaka Agreement.

13 October 1999

Aggressor troops coming from Lodja crossed the Sankuru river and occupied Lake Badra in the Dekese area.

19 October 1999

The enemy invaded Minda, 22 km from Kasumpa, a station on the Kabala-Kitanda line in Katanga. It also carried out looting, rape and abduction in the Malamba-Nkulu area. At the same time, the aggressors again breached the Ceasefire Agreement by attacking our positions at Twite, Kabwe and Tuntula. This breach, combined with statements by Kagame urging people to go to war, reflected complete disregard for the Agreement overseen by the United Nations and OAU.

20 October 1999

Paul Kagame declared that he would keep his troops in the Congo in order to continue the war.

21 October 1999

The aggressors attacked an allied aircraft at Ikela, as well as the town of Djolu in the Bongandanga area.

22 October 1999

Attack on Wanda, a village 50 km from Idumbe on the Sankuru river. Attack on Vumba, a place on the outskirts of Kabalo in Katanga.

23 October 1999

The aggressors attacked Ikela with heavy weaponry and artillery.

24 October 1999

The aggressors violated the ceasefire at Bukwala in Équateur province.

25 October 1999

Attack on our positions at Wanda, 25 km from Idumbe, in the Dekese area of Kasaï Occidental.

26 October 1999

Attack on the positions of the Congolese armed forces and their allies at Ikela. Shots fired at aircraft carrying food supplies. Massacres, rapes, abductions and widespread killings on the outskirts of Wena in Équateur. Attack on our positions at Bulukutu, 30 km north of Wena. Attack on Wanda in the Dekese area.

27 October 1999

Massacres, barbarous killings and rapes on a wide scale in the Kabinda area on the Kipusha road.

The Rwandans systematically massacred and killed all Congolese who had been fighting with them and were now demanding that the ceasefire be respected. They were sent to the front in groups of 15 to attack government forces. When they refused, the Rwandans used this as a pretext for committing genocide in our country.

29 October 1999

Enemy attack at Mwamba Kadima on the Bena Leka-Tshimbadi road in Kasaï Occidental. On the Kananga-Kajiba road, the enemy, dressed in civilian clothing, attacked our positions at Mpoyi. On the Dibumba-Kajiba road, the enemy again breached the ceasefire by attacking positions of the Congolese armed forces and their allies at the Mwamba Kadima lake.

30 October 1999

The Congolese armed forces and their allies observed troops and equipment sent to reinforce the aggressors on all major roads in Kasaï Oriental.

During the night of 29 to 30 October 1999, the aggressors violated the ceasefire by attacking SADC troops on the Kabinda-Mbujimayi road in Kande, Ntangulu and Mwamba Mitantu.

On 30 October, the aggressors killed the local chief of Kalonda and massacred peaceful citizens at Kondo. Kalonda is situated 180 km north-east of Kabinda, while Kondo is situated 8 km from Kalonda, in the Mbujimayi area of Kasaï Oriental.

3 November 1999

Jean-Pierre Mbemba, who as a signatory to the Lusaka Agreement had a duty to show restraint, instead declared that he was going to attack the positions of the Congolese armed forces and their allies in Équateur because the Congolese armed forces had allegedly bombed MLC troops in Dondo, Zongo and Gbadolite.

30 November 1999

In Équateur province, Ugandans and Rwandans, backed by white men speaking English, announced the conquest of Basankusu. On the Ubangui road, the enemy launched an attack on Poto, to the north of Imese, then obtained troop reinforcements in Dongo, Ewalangu and Mangwada.

8 December 1999

In Kasaï Occidental, Rwandans, Ugandans and their Congolese rebel allies attacked our position at Benga on the Kole-Dekese road.

10 December 1999

The Ugandan aggressors, backed by members of UNITA, launched an attack around Konia, which the enemy tried unsuccessfully to occupy.

11 December 1999

On the Basankusu road, the aggressors attacked our position above Bokakata.

Also in Équateur province, on the Boende-Ikela road, the enemy mined the centre of Bokungu, where several accidents occurred.

18 December 1999

The aggressors attacked Konia, on the Boende-Ikela road.

23 to 31 January 2000

The enemy stepped up its attacks on FAC defensive positions over a distance of some 65 km, from Mobambu to Imese, with the intention of reaching Mbandaka.

3 February 2000

Enemy troops laid siege to Likwelo, a position on the bank of the Lukuga river.

2 and 5 March 2000

In the Tshimbadi area, the enemy fired heavy weaponry on Bena-Leka each time the train passed. It also stepped up its attacks on our positions and near Beya-Bwanga at around the same time (7 March 2000 onwards).

6 March 2000

During the morning, the enemy attacked our D'ipoka defensive position in the Dekese area of Kasaï Occidental.

7 March 2000

In the Ileba and Dekese area, Rwandan troops under the name RCD-Goma returned to the offensive and gradually regained control of Lolo, Idumbe, Longa and Ndesa. At 10.50 a.m. on 21 March, they attacked our position at Goyolo, 40 km north-east of Dekese, where the enemy was repelled.

United Nations S/2000/334

Security Council

Distr.: General
18 April 2000

Original: English

Letter dated 18 April 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to paragraph 17 of Security Council resolution 1291 (2000) of 24 February 2000 concerning the expansion of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). In that paragraph, the Council expressed serious concern at reports of the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo, including in violation of the sovereignty of that country, called for an end to such activities, expressed its intention to consider the matter further and requested me to report to the Council within 90 days on ways to achieve this goal.

The Security Council may wish to consider creating a panel of experts, perhaps for a six-month period, to undertake a preliminary investigation into the situation and to revert to the Council thereafter with its recommendations. The panel would be financed from the regular budget of the United Nations. It would thus be organizationally separate from MONUC, although it could request logistical support from the Mission while travelling within the Democratic Republic of the Congo. It is envisaged that the panel would submit a preliminary report after three months and a final report, with recommendations, at the end of its mandate.

The members of the panel should be selected on the basis of their expertise in matters connected with natural resources and their knowledge of the subregion and the political, military and economic situation there. I would propose that the panel be based at the United Nations Office in Nairobi.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

00-39770 (E) 190400

United Nations S/2000/335

Security Council

Distr.: General
19 April 2000

Original: English

Draft resolution

The Security Council,

Recalling its resolution 1265 (1999) of 17 September 1999, the statement of its President of 12 February 1999 (S/PRST/1999/6) and other relevant resolutions and statements of its President,

Having considered the report of the Secretary-General of 8 September 1999 on the Protection of Civilians in Armed Conflict (S/1999/957),

Expressing its appreciation to the informal Working Group established pursuant to resolution 1265 (1999) for its work,

Expressing further its regret that civilians account for the vast majority of casualties in armed conflicts and increasingly are targeted by combatants and armed elements, *reaffirming* its concern at the hardships borne by civilians during armed conflict, in particular as a result of acts of violence directed against them, especially women, children and other vulnerable groups, including refugees and internally displaced persons, and *recognizing* the consequent impact this has on durable peace, reconciliation and development,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and *underlining* the importance of taking measures aimed at conflict prevention and resolution,

Reaffirming its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and to respect for the sovereignty of all States,

Underlining the need for all parties concerned to comply with the provisions of the Charter of the United Nations and with rules and principles of international law, in particular international humanitarian, human rights and refugee law, and to implement fully the relevant decisions of the Security Council,

1. *Emphasizes* the need, when considering ways to provide for the protection of civilians in armed conflict, to proceed on a case-by-case basis, taking into account the particular circumstances, and *affirms* its intention to take into account relevant recommendations contained in the report of the Secretary-General of 8 September 1999 when carrying out its work;

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2. *Reaffirms* its strong condemnation of the deliberate targeting of civilians or other protected persons in situations of armed conflict, and *calls upon* all parties to put an end to such practices;

3. *Notes* that the overwhelming majority of internally displaced persons and other vulnerable groups in situations of armed conflict are civilians and, as such, are entitled to the protection afforded to civilians under existing international humanitarian law;

4. *Reaffirms* the importance of adopting a comprehensive approach to conflict prevention, *invites* Member States and the Secretary-General to bring to its attention any matter which in their opinion may threaten the maintenance of international peace and security, *affirms* in this regard its willingness to consider, in the light of its discussion of such matters, the establishment, in appropriate circumstances, of preventive missions, and *recalls*, in this regard, the statement of its President of 30 November 1999 (S/PRST/1999/34);

5. *Notes that* the deliberate targeting of civilian populations or other protected persons and the committing of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and, in this regard, *reaffirms* its readiness to consider such situations and, where necessary, to adopt appropriate steps;

6. *Invites* the Secretary-General to continue to refer to the Council relevant information and analysis where he believes that such information or analysis could contribute to the resolution of issues before it;

7. *Expresses* its intention to collaborate with representatives of the relevant regional and subregional organizations, where appropriate, in order further to improve opportunities for the resolution of armed conflicts and the protection of civilians in such conflict;

8. *Underlines* the importance of safe and unimpeded access of humanitarian personnel to civilians in armed conflicts, *calls upon* all parties concerned, including neighbouring States, to cooperate fully with the United Nations Humanitarian Coordinator and United Nations agencies in providing such access, *invites* States and the Secretary-General to bring to its attention information regarding the deliberate denial of such access in violation of international law, where such denial may constitute a threat to international peace and security, and, in this regard, *expresses* its willingness to consider such information and, when necessary, to adopt appropriate steps;

9. *Reaffirms* its grave concern at the harmful and widespread impact of armed conflict on civilians, including the particular impact that armed conflict has on women, children and other vulnerable groups, and *further reaffirms* in this regard the importance of fully addressing their special protection and assistance needs in the mandates of peacemaking, peacekeeping and peace-building operations;

10. *Expresses* its intention, where appropriate, to call upon the parties to a conflict to make special arrangements to meet the protection and assistance requirements of women, children and other vulnerable groups, including through the promotion of "days of immunization" and other opportunities for the safe and unhindered delivery of basic necessary services;

11. *Emphasizes* the importance for humanitarian organizations to uphold the principles of neutrality, impartiality and humanity in their humanitarian activities and recalls, in this regard, the statement of its President of 9 March 2000 (S/PRST/2000/7);

12. *Reiterates* its call to all parties concerned, including non-State parties, to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as personnel of humanitarian organizations, and *recalls*, in this regard, the statement of its President of 9 February 2000 (S/PRST/2000/4);

13. *Affirms* its intention to ensure, where appropriate and feasible, that peacekeeping missions are given suitable mandates and adequate resources to protect civilians under imminent threat of physical danger, including by strengthening the ability of the United Nations to plan and rapidly deploy peacekeeping personnel, civilian police, civil administrators, and humanitarian personnel, utilizing the stand-by arrangements as appropriate;

14. *Invites* the Secretary-General to bring to its attention situations where refugees and internally displaced persons are vulnerable to the threat of harassment or where their camps are vulnerable to infiltration by armed elements and where such situations may constitute a threat to international peace and security, *expresses*, in this regard, its willingness to consider such situations and, where necessary, adopt appropriate steps to help create a secure environment for civilians endangered by conflicts, including by providing support to States concerned in this regard, and *recalls*, in this regard, its resolution 1208 (1998) of 19 November 1998;

15. *Indicates* its willingness to consider the appropriateness and feasibility of temporary security zones and safe corridors for the protection of civilians and the delivery of assistance in situations characterized by the threat of genocide, crimes against humanity and war crimes against the civilian population;

16. *Affirms* its intention to include in the mandates of United Nations peacekeeping operations, where appropriate and on a case-by-case basis, clear terms for activities related to the disarmament, demobilization and reintegration of ex-combatants, including in particular child soldiers, as well as for the safe and timely disposal of surplus arms and ammunition, *emphasizes* the importance of incorporating such measures in specific peace agreements, where appropriate and with the consent of the parties, *also emphasizes* in this regard the importance of adequate resources being made available, and *recalls* the statement of its President of 23 March 2000 (S/PRST/2000/10);

17. *Reaffirms* its condemnation of all incitements to violence against civilians in situations of armed conflict, *further reaffirms* the need to bring to justice individuals who incite or otherwise cause such violence, and *indicates* its willingness, when authorizing missions, to consider, where appropriate, steps in response to media broadcasts inciting genocide, crimes against humanity and serious violations of international humanitarian law;

18. *Affirms* that, where appropriate, United Nations peacekeeping missions should include a mass-media component that can disseminate information about international humanitarian law and human rights law, including peace education and children's protection, while also giving objective information about the activities of the United Nations, and *further affirms* that, where appropriate, regional

peacekeeping operations should be encouraged to include such mass-media components;

19. *Reiterates* the importance of compliance with relevant provisions of international humanitarian, human rights and refugee law and of providing appropriate training in such law, including child and gender-related provisions, as well as in negotiation and communications skills, cultural awareness, civil-military coordination and sensitivity in the prevention of HIV/AIDS and other communicable diseases, to personnel involved in peacemaking, peacekeeping and peace-building activities, *requests* the Secretary-General to disseminate appropriate guidance and to ensure that such United Nations personnel have the appropriate training, and *urges* relevant Member States, as necessary and feasible, to disseminate appropriate instructions and to ensure that appropriate training is included in their programmes for personnel involved in similar activities;

20. *Takes note* of the entry into force of the Convention on the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and their Destruction of 1997 and the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, *recalls* the relevant provisions contained therein, *notes* the beneficial impact that their implementation will have on the safety of civilians and *encourages* those in a position to do so to support humanitarian mine action, including by providing financial assistance to this end;

21. *Notes* that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger civilians and undermine security and the confidence required for a return to peace and stability;

22. *Recalls* the decision of the members of the Council set out in the Note by its President of 17 April 2000 (S/2000/319) to establish on a temporary basis an informal Working Group of the Security Council on the general issue of sanctions, and *requests* the informal Working Group to consider the recommendations contained in the report of the Secretary-General of 8 September 1999 relating to its mandate;

23. *Recalls* the letter of its President to the President of the General Assembly of 14 February 2000 (S/2000/119), *takes note* of the letter to its President from the President of the General Assembly of 7 April 2000 (S/2000/298) enclosing a letter from the Chairman of the Special Committee on Peacekeeping Operations of 1 April 2000, *welcomes* in this regard the work by the Committee with reference to the recommendations in the report of the Secretary-General of 8 September 1999 which relate to its mandate, and *encourages* the General Assembly to continue consideration of these aspects of the protection of civilians in armed conflict;

24. *Requests* the Secretary-General to continue to include in his written reports to the Council on matters of which it is seized, as appropriate, observations relating to the protection of civilians in armed conflict;

25. *Requests* the Secretary-General to submit by 30 March 2001 his next report on the protection of civilians in armed conflict, with a view to requesting

additional such reports in future, *further requests* the Secretary-General to include in this report any additional recommendations on ways the Council and other Organs of the United Nations, acting within their sphere of responsibility, could further improve the protection of civilians in situations of armed conflict, and *encourages* the Secretary-General to consult the Inter-Agency Standing Committee in the preparation of the reports;

26. *Decides* to remain seized of the matter.

United Nations S/2000/336

Security Council

Distr.: General
19 April 2000

Original: English

Letter dated 18 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to lodge a strong protest over the decision of the United Nations Interim Administration in Kosovo (UNMIK) to illegally issue postage stamps for the resumption of postal traffic in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Yugoslavia, outside the postal traffic carried out by the Yugoslav PTT Association, the PTT administration of the Federal Republic of Yugoslavia.

According to article 5 of the Universal Postal Convention (1994), "Only postal administrations shall issue postage stamps attesting payment of postage", whereby postal administrations are understood to be the entities designated by States to assume the responsibility for carrying out the obligations stemming from the accession of the States to the Universal Postal Convention. The only such administration in the territory of the Federal Republic of Yugoslavia, the sovereignty and territorial integrity of which is expressly recognized in Security Council resolution 1244 (1999) of 10 June 1999, is the Yugoslav PTT Association. In taking over the responsibilities of the Association to issue postage stamps, i.e., to provide postal services within and without Kosovo and Metohija, UNMIK has been in breach of the relevant rules and regulations of the Federal Republic of Yugoslavia, article 10 of the Universal Postal Convention, as well as the provisions of the said resolution of the Security Council, and instrumental in severing the constitutional, legal and administrative links of Kosovo and Metohija with the Republic of Serbia and its eventual separation from the Federal Republic of Yugoslavia.

Bringing this unlawful act to your attention, I also take the opportunity to advise that the Yugoslav PTT Association, in its capacity as the postal administration of the Federal Republic of Yugoslavia, has addressed a circular letter to the International Bureau of the Universal Postal Union requesting it to inform all its 189 members of the illegal issuance of postage stamps by UNMIK.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

00-39782 (E) 200400

United Nations S/2000/337

Security Council

Distr.: General
20 April 2000

Original: English

Letter dated 19 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to convey to you its profound concern over Regulation No. 2000/18 of 29 March 2000 taken arbitrarily by the Special Representative of the Secretary-General of the United Nations in Kosovo and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) to issue personal documents to residents of Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, violating in a most flagrant fashion the provisions of Security Council resolution 1244 (1999) of 10 June 1999 relative to the respect of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

Bringing this illegal and arbitrary act to your attention, I would like to recall that issuance of personal documents, primarily of passports and identity cards, in Kosovo and Metohija falls within the exclusive competence of the Federal Republic of Yugoslavia of which that Serbian province is an integral and inalienable part, the fact expressly confirmed in Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1244 (1999). Accordingly, the decision of the Special Representative of the Secretary-General of the United Nations and Head of UNMIK to introduce the so-called "Kouchner passports" for Yugoslav citizens from Kosovo and Metohija is not only contrary to the provisions of the aforementioned Security Council resolutions, but amounts to a violation of the basic principles of the Charter of the United Nations, documents of the Organization for Security and Cooperation in Europe and international law, wherefore it is absolutely unacceptable to the Federal Republic of Yugoslavia and legally null and void. The said decision provides convincing evidence that UNMIK and its Head continue to countenance the policy of the leaders of ethnic Albanian terrorist separatists aimed at severing the ties between Kosovo and Metohija and the Republic of Serbia and the Federal Republic of Yugoslavia and the separation of that Serbian province from the constitutional and legal system of the Republic of Serbia and the Federal Republic of Yugoslavia.

The introduction of the so-called "Kouchner passports" for Yugoslav citizens from Kosovo and Metohija in wanton disregard for the uniform regime of issuance of personal documents of Yugoslav citizens on the entire Yugoslav territory and in flagrant violation of relevant international legal instruments is also without a precedent in the practice of United Nations peace operations. Instead of creating conditions for a secure and unhindered return of all refugees and displaced persons

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to Kosovo and Metohija and opening up a political process aimed at bringing a peaceful and fair solution to the situation in this Serbian province that would guarantee full equality to all its ethnic communities and safeguard the territorial integrity of the Federal Republic of Yugoslavia, arbitrary and wilful decisions of the Special Representative of the Secretary-General of the United Nations and Head of UNMIK serve to encourage and promote in a most direct way ethnic Albanian separatism and terrorism, aiding and abetting international organized crime, including illicit traffic in narcotic drugs, smuggling of arms, white slavery or money-laundering, which are sad facts of life in that Serbian province.

Considering the aforementioned, the Government of the Federal Republic of Yugoslavia is convinced that, fully respectful of the Charter of the United Nations, no State Member of the world Organization will accept the travel documents issued by UNMIK since they are illegal and contrary not only to the valid legal regulations of the Federal Republic of Yugoslavia and the Republic of Serbia, but to international law as well. Acceptance of those documents, however, would amount to a gross and deliberate violation of the principle of State sovereignty, the basic principle of the Charter of the United Nations, defined in Security Council resolution 1244 (1999), and exonerate UNMIK and the Kosovo Force (KFOR) for the chaos and the escalation of terrorism and crime affecting not only that Serbian province but also many regions far and wide.

The Government of the Federal Republic of Yugoslavia wishes to reiterate also on this occasion that, under the relevant laws and regulations in force in the Federal Republic of Yugoslavia, its authorities are the only organs authorized to issue all types of documents to its citizens irrespective of their ethnic origin and that only such documents are valid in the territory of the Federal Republic of Yugoslavia and abroad.

The reasons provided by the Special Representative of the Secretary-General of the United Nations and Head of UNMIK in explanation of his latest illegal and harmful decision sound hollow, unfounded and tendentious, all the more so as the competent Yugoslav authorities, following the valid legal procedure of the Federal Republic of Yugoslavia and in agreement with UNMIK and KFOR, continue to issue travel and other personal documents through its offices in Kosovo and Metohija to all applicants, Yugoslav citizens, irrespective of their ethnic origin. The Government of the Federal Republic of Yugoslavia therefore calls for a speedy cancellation of the decision regarding the so-called "Kouchner passports". It would consider the acceptance of these passports as gross disrespect for its sovereignty and territorial integrity and retain the right to take appropriate reciprocal measures.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

United Nations A/54/848–S/2000/338

General Assembly
Security Council

Distr.: General
20 April 2000
English
Original: Russian

General Assembly
Fifty-fourth session
Agenda items 10, 11, 67 and 76 (j)

Security Council
Fifty-fifth year

Report of the Secretary-General on the work of the Organization

Report of the Security Council

Compliance with arms limitation and disarmament and non-proliferation agreements

General and complete disarmament: consolidation of peace through practical disarmament measures

Letter dated 19 April 2000 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention an official communication from the press centre of the State secretariat of the security council of the Republic of Belarus concerning the contents of an article published in *The Sunday Telegraph* on 16 April 2000.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly at its fifty-fourth session, under agenda items 10, 11, 67 and 76 (j), and of the Security Council.

(*Signed*) Aleksandr **Sychov**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Republic of Belarus to the United Nations

00-40044 (E) 240400 260400

Annex to the letter dated 19 April 2000 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

Communication from the press centre of the State secretariat of the security council of the Republic of Belarus

On 16 April 2000, an article was published in *The Sunday Telegraph* in which the Republic of Belarus was accused of military cooperation with Iraq, in violation of the United Nations arms embargo against that country. The article claims that Belarus intends to assist Iraq in upgrading air defence systems, re-equipping the air force, and providing air defence training for military specialists.

The press centre of the State secretariat of the security council is authorized to state that the allegations made in the newspaper are groundless. Belarus has not cooperated and is not cooperating with Iraq in the military sphere. It is regrettable that an authoritative organ like *The Sunday Telegraph* published false information, misleading the public and discrediting the peace-loving foreign policy of the Republic of Belarus, which has always strictly complied with the decisions of the United Nations and the provisions and principles of international law, and continues to do so.

United Nations S/2000/339

Security Council

Distr.: General
20 April 2000
English
Original: French

Letter dated 20 April 2000 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement made on 13 April 2000 by the Presidency of the European Union on behalf of the European Union concerning the announcement of a summit meeting between the two Koreas (see annex).

I should be grateful if you would arrange to have the text of this letter and its annex circulated as a Security Council document.

(*Signed*) António **Monteiro**
Permanent Representative of Portugal to the United Nations

00-40132 (E) 240400 240400

Annex to the letter dated 20 April 2000 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the announcement of a summit meeting between the two Koreas, issued on 13 April 2000 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the simultaneous announcement of a summit meeting between President Kim Dae-jung and National Defence Commission Chairman Kim Jong Il.

As a long-standing advocate of direct dialogue between the two Koreas, the European Union considers that such a summit would be a significant and historic event with considerable potential for easing tensions on the Peninsula.

The European Union reaffirms its support for the engagement policy and for the proposals relating to peace and reunification in the Korean Peninsula made in Berlin on 9 March by President Kim Dae-jung.

The European Union hopes that the summit will become a milestone in the process towards a lasting reconciliation on the Peninsula as well as towards enhancing regional stability.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the European Free Trade Association countries members of the European Economic Area align themselves with this statement.

United Nations S/2000/340

Security Council

Distr.: General
20 April 2000
English
Original: Arabic

Letter dated 20 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I wish to inform you as follows:

On 3 April 2000 a Kuwaiti boat intercepted a fishing boat belonging to the Iraqi citizen Husayn Dahi Sa'dun while he was fishing near Al-Bakr seaport No. 7 in our territorial waters at long. 50° N lat. 47° E. They stopped the boat because it was flying the Iraqi flag and demanded that the flag be lowered, alleging that the boat was within Kuwaiti territorial waters. They attacked and insulted the crew of the boat and threw all their belongings into the sea.

I request you to intervene with Kuwait in order that a halt be put to such provocative practices and aggressive actions being carried out by Kuwaiti patrols without justification, inasmuch as they contravene the Charter of the United Nations and the provisions of international law, as well as constituting the threat to the sovereignty and security of the Republic of Iraq.

I affirm the right of the Republic of Iraq to demand compensation for the damage done to it and to its citizens and their property through such acts of aggression, in accordance with the principle of international responsibility.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

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United Nations S/2000/341

Security Council

Distr.: General
24 April 2000
English
Original: Arabic

Identical letters dated 19 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I should like to transmit to you herewith a letter dated 18 April 2000, from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the continued aggression by the United States of America and the United Kingdom against Iraq through the illegal aerial exclusion zones and the carrying out by United States and British aircraft of 184 aggressive aerial sorties over Iraqi towns and villages during the period from 8 to 14 April 2000, which constitutes a blatant violation of the Charter of the United Nations and of international law.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-40266 (E) 240400 250400

Annex to the identical letters dated 19 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British aircraft have been continuing their violation of the airspace of the Republic of Iraq from their bases in Saudi Arabia, Kuwait and Turkey. They carried out 184 sorties during the period from 8 to 14 April 2000, 78 of these from Saudi Arabia, 52 from Kuwait and 54 from Turkey. Details are given hereunder.

1. In the northern region 54 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 0850 hours on 9 April 2000, United States and British F-14 and F-15 aircraft coming from Turkish territory penetrated Iraqi airspace in the northern region. They carried out 16 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Tall Afar, Mosul, Ayn Zalah and Zacho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

(b) At 1100 hours on 10 April 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraqi airspace in the northern region. They carried out 18 missions, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Baibo, Aqrah, Rawanduz, Tall Afar, Mosul, Ayn Zalah and Zacho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1135 hours, drove them off.

(c) At 1140 hours on 11 April 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraqi airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Baibo, Aqrah, Tall Afar, Mosul, Irbil, Ayn Zalah and Zacho areas. Our air defences, acting in self-defence, engaged the aircraft and at 1405 hours drove them off.

2. In the southern region, 130 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1350 hours on 9 April 2000, United States and British F-14, F-15, F-16 and Tornado aircraft coming from Saudi Arabian and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 22 missions, 12 of them from Saudi Arabian territory with the support of an AWACS command and control aircraft operating inside Saudi Arabian airspace and 10 from Kuwaiti territory with the support of an E2-C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Qurnah, Nasiriyah, Basrah, Samawah and Jalibah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1450 hours, drove them off.

(b) At 1150 hours on 10 April 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi Arabian and Kuwaiti territory

penetrated Iraq's airspace in the southern region. They carried out 24 missions, 12 of them from Saudi Arabian territory with the support of an AWACS command and control aircraft operating inside Saudi Arabian airspace and 12 from Kuwaiti territory with the support of an E2-C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Nasiriyah, Qurnah, Amarah, Taqtaqanah, Ashbajah, Basrah, Lasaf and Qal'at Salih areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1300 hours, drove them off.

(c) At 1455 hours on 11 April 2000, United States and British F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi Arabian and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 30 missions, 14 of them from Saudi Arabian territory with the support of an AWACS command and control aircraft operating inside Saudi Arabian airspace and 16 from Kuwaiti territory with the support of an E2-C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Qurnah, Amara, Taqtaqanah, Busayyah, Basrah, Lasaf, Amghar, Shatrah, Qal'at Sukkar, Samawah, Artawi and Qal'at Salih areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1600 hours, drove them off.

(d) At 1455 hours on 12 April 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi Arabian and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 20 missions, 18 from Saudi Arabian territory with the support of an AWACS command and control aircraft operating inside Saudi Arabian airspace and 2 from Kuwaiti territory with the support of an EC-2 command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Busayyah, Basrah, Lasaf, Samawah, Salman, Artawi and Jalibah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1615 hours, drove them off.

(e) At 1455 hours on 14 April 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi Arabian and Kuwaiti territory penetrated Iraq's airspace. They carried out 34 missions, 22 of them from Saudi Arabian territory with the support of an AWACS command and control aircraft operating inside Saudi Arabian territory and 12 from Kuwaiti territory with the support of an E2-C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Qurnah, Taqtaqanah, Busayyah, Basrah, Lasaf, Shatrah, Qal'at Sukkar, Samawah, Artawi, Salman, Diwaniyah, Jalibah, Afak and Qal'at Salih areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2230 hours, drove them off.

This aggression represents the continuation of a consistent policy of hostility against Iraq that has been pursued by the United States of America and the United Kingdom since 1992 and is aimed at undermining the country's sovereignty, independence and territorial integrity, deliberately and systematically bringing death to Iraq's citizens and inflicting damage upon its infrastructure and civilian installations. This policy has been confirmed by the repeated statements of United States and British officials purporting to defend the aerial exclusion zones.

The Government of Iraq categorically rejects the so-called aerial exclusion zones, which were imposed by the United States of America and the United Kingdom pursuant to a unilateral decision which has no legal basis or legitimacy. Iraq rejects all measures taken on the basis of this illegal decision and, in particular,

the fabricated excuses and pretexts used by those two States in efforts to disguise their military aggression against our country.

The logistical support provided by Saudi Arabia, Kuwait and Turkey to the United States and the United Kingdom makes them full accomplices in the aggression against Iraq, and they must share international responsibility for these acts committed against the Iraqi people.

The Government of Iraq, in condemning these acts of aggression against Iraqi civilian targets and installations, calls upon the Security Council to assume its obligations for the maintenance of international peace and security by intervening with the Governments of those States with a view to inducing them to halt their ongoing and unjustified aggression against an independent sovereign State, to put an end to this aggression and to desist from any future repetition thereof.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2000/342

Security Council

Distr.: General
24 April 2000

Original: English

Letter dated 21 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I am writing to bring to your attention yet another terrorist attack committed by ethnic Albanian terrorist separatists in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia. On 17 April 2000 they shelled an apartment building near Hotel Grand in downtown Pristina, wounding two persons and damaging an apartment owned by a member of the Turkish ethnic community.

The attack provides yet another proof that the terrorists of the so-called Kosovo Liberation Army (KLA), transformed into the so-called Kosovo Protection Corps (KPC), have not been demilitarized and disarmed as provided for by Security Council resolution 1244 (1999) of 10 June 1999.

Making it possible for KLA terrorists to commit crimes unperturbed, even with the use of mortars and in downtown Pristina, is telling evidence that the Kosovo Force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK), headed by Mr. Bernard Kouchner, continually refuse to come to grips with ethnic Albanian terrorism and that, by the same token, they are responsible for the widespread crime that has engulfed the Serbian province ever since their arrival, as well as for the harmful political consequences. The heinous act clearly demonstrates that the international presences have failed to carry out one of the main tasks of their mandate, i.e., to create a secure environment and personal safety and the safety of property for all residents of Kosovo and Metohija irrespective of the ethnic group to which they belong, violating thus Security Council resolution 1244 (1999) in a most flagrant way.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanović**
Chargé d'affaires a.i.

00-40244 (E) 240400

United Nations S/2000/343

Security Council

Distr.: General
24 April 2000

Original: English

Letter dated 22 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to lodge the strongest protest over the participation of the Special Representative of the Secretary-General of the United Nations and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) in a demonstration of 2,000 ethnic Albanians in Pristina, Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, requesting release of Fllora Brovina, an ethnic Albanian doctor, sentenced for anti-State activities. Speaking to the demonstrators, the Special Representative and Head of UNMIK requested that Doctor Brovina and all other ethnic Albanians sentenced for terrorist activities be released from prison.

Bringing that improper act of the highest-ranking official of the United Nations administration in this Serbian province to your attention, I would like to advise that the demonstrators demanded release of all ethnic Albanians short of which, as their posters proclaimed, there will be "no peace and lasting stability" in Kosovo and Metohija. Ethnic Albanians have also set up a Civil Protest Council that has invited all residents of Kosovo and Metohija to join a protest on 26 April and demand release from prison of ethnic Albanians and have established "a team of legal experts" to prepare an annex to Security Council resolution 1244 (1999) of 10 June 1999 which would "exert pressure on the authorities in Belgrade" to release all ethnic Albanians sentenced for terrorist activities.

The alignment of the Head of UNMIK with ethnic Albanian terrorist separatists, an act of unprecedented and undisguised partiality of a United Nations mission towards a terrorist separatist movement in the territory of a sovereign country, stands in stark contrast to the UNMIK mandate provided for by Security Council resolution 1244 (1999) and is contrary to the Charter of the United Nations and prejudiced against Serbian and Yugoslav interests. Instead of carrying out the Mission's mandate and ensuring a secure environment for all residents of Kosovo and Metohija and the rule of law in that Serbian province, the Special Representative of the Secretary-General of the United Nations and Head of UNMIK is taking sides in local issues, espousing causes that are often a direct violation of the rule of law. This he does as he brings arbitrary and partial Regulations which are not founded in law and tolerates most drastic discrimination against Serbs and Montenegrins before illegal courts he has established outside the powers granted to him by his mandate. To request release of ethnic Albanian terrorist separatists not only amounts to a deliberate demonstration of wanton disregard for the sensitivities

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of the Serbian community in Kosovo and Metohija, many of whose members are arrested by the UNMIK police on trumped-up charges based only on false reports of ethnic Albanians and held in detention longer than six months and without the right to defence and the minimum protection either to potential defendants or their defence representatives and witnesses, but is also a slap in the face of justice and shows an utter lack of the sense of proportion.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

United Nations S/2000/344

Security Council

Distr.: General
24 April 2000

Original: English

Letter dated 24 April 2000 from the President of the Security Council to the Secretary-General

I have the honour to inform you that the members of the Security Council have decided to send a mission to the Democratic Republic of the Congo.

The members of the Security Council have agreed on the terms of reference of the Security Council mission (see annex).

Following consultations with the members, it has been agreed that the composition of the mission is as follows:

United States of America (Ambassador Richard Holbrooke — Head of Mission

France (Ambassador Jean-David Levitte)

Mali (Ambassador Moctar Ouane)

Namibia (Ambassador Martin Andjaba)

Netherlands (Ambassador A. Peter van Walsum)

Tunisia (Ambassador Saïd Ben Mustapha)

United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock)

It is the intention of the mission to depart New York on 2 May 2000 with a planned return from Lusaka on 8 May 2000. To that end, I would be most grateful if appropriate officials could be advised in order to make the necessary arrangements for the mission.

(*Signed*) Robert R. **Fowler**
President of the Security Council

00-40250 (E) 240400

Annex

Terms of reference for the Security Council mission to the Democratic Republic of the Congo and the region

1. The Security Council encourages the efforts of the parties to the Lusaka Ceasefire Agreement (S/1999/815) to fulfil their commitments and underlines the Council's dedication to the full implementation of the Agreement and relevant Council resolutions regarding the situation in the Democratic Republic of the Congo.

2. The Security Council considers that the full deployment of phase II of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in adequate conditions of security, access and cooperation, as authorized under Council resolution 1291 (2000) of 24 February 2000, is a critical element of the international community's support for the peace process.

3. Concerned by developments in the Democratic Republic of the Congo since the signing of the Agreement, the Security Council mission is visiting the region to facilitate the parties' agreement on concrete ways to ensure the rapid and full implementation of the Agreement and of resolution 1291 (2000).

4. The mission will focus on the conditions necessary for the full deployment of MONUC including, *inter alia*: the need for strict adherence to the ceasefire, including cessation of the seizure of new territory and the re-supply of arms to the field; an adequate status-of-forces agreement; reliable guarantees of security and freedom of movement for United Nations personnel; the relocation of the Joint Military Commission (JMC) to Kinshasa and its establishment as a permanently sitting body; the development of the working relationship of MONUC and JMC; and concrete progress by all sides on the disengagement of forces, as agreed by the parties on 8 April 2000.

5. The mission will also emphasize: the need to strengthen the role of the Facilitator of the Inter-Congolese National Dialogue and his ability to organize and facilitate the Dialogue; the need to harmonize the Lusaka implementation timetable with the MONUC deployment schedule; the requirement to facilitate humanitarian assistance; and the need for early progress on a plan for the disarmament, demobilization, reintegration and resettlement of armed groups in the Democratic Republic of the Congo.

6. The mission will report back to the Security Council, at which time it will make recommendations for further Council actions, if appropriate. The report of the mission will focus on progress made on all aspects of the Agreement and the implementation of relevant Council resolutions regarding the situation in the Democratic Republic of the Congo.

7. The mission intends to meet representatives of all the signatories to the Agreement. It will ask President Chiluba to convene a meeting of the Heads of State signatories to the Lusaka Agreement.

United Nations S/2000/345

Security Council

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Report of the Secretary-General concerning the situation in Abkhazia, Georgia

I. Introduction

1. This present report is submitted pursuant to Security Council resolution 1287 (2000) of 31 January 2000, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2000 and requested me to report three months from the adoption of the resolution on the situation in Abkhazia, Georgia. This report provides an update on the situation as at 15 April 2000.

2. The Mission continues to be headed by my Special Representative for Georgia, Dieter Boden. He is assisted by Chief Military Observer Major General Anis Ahmed Bajwa (Pakistan), who assumed his duties on 11 February 2000. The strength of UNOMIG, as at 15 April 2000, stood at 102 military observers (see annex).

II. Political aspects

3. From 27 to 29 January 2000 I visited Moscow, accompanied by my Special Representative, and discussed, *inter alia*, the Georgian/Abkhaz peace process at my meetings with the Acting President, Vladimir Putin, and other officials.

4. During the reporting period, my Special Representative continued to carry out consultations and preparatory work within the proven framework of the United Nations-led Geneva peace process. In pursuance of Security Council resolution 1287 (2000), work continued on the question of the distribution of constitutional competences between Tbilisi and Sukhumi (see S/2000/39, para. 7). A revised draft paper on this issue was distributed in mid-March to the Russian Federation, as facilitator, and to the members of the group of Friends of the Secretary-General, incorporating their comments on the original draft. Further discussions are currently under way with a view to finalizing the draft in the near future and submitting it to the sides in the conflict.

5. While its basic position on the question of the status has not changed, the Abkhaz side has indicated its interest in not being excluded from the discussion. In letters addressed to me on 14 February and 3 April 2000, the Abkhaz leader, Vladislav Ardzinba, drew attention to some of the legal aspects related to the settlement of the conflict and asserted that, during the course of the negotiations, the position of the United Nations had departed from principles agreed on in earlier signed documents. In his reply, on my behalf, of 21 March 2000, the Under-Secretary-General for Political Affairs stressed that the position of the United Nations had remained constant, namely, that a comprehensive settlement must be based on the principles of full respect for the sovereignty and territorial integrity of Georgia and the right of all refugees and internally displaced persons to a safe, secure and voluntary return to Abkhazia within Georgia.

6. In order to alleviate a deteriorating security situation on the ground, my Special Representative, at the behest of both the President of Georgia, Eduard Shevardnadze, and the Abkhaz leader, Vladislav Ardzinba, and with logistical support from UNOMIG, convened a meeting at Sukhumi on 3 February 2000 between the State Minister of Georgia, Vazha Lordkipanidze, and the de facto Prime Minister of Abkhazia, Viacheslav Tsugba, with the participation of

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the Commander of the peacekeeping force of the Commonwealth of Independent States (CIS). The meeting resulted in the signing by the four participants of a Protocol on a series of concrete measures to improve the situation.

7. On 27 and 28 February, again with logistical support from UNOMIG, my Special Representative brought to Sukhumi Revaz Adamia, Chairman of the Georgian Parliamentary Committee on Defence and Security, and chaired talks between Mr. Adamia and Anri Jergenia, the personal representative of Mr. Ardzinba to the peace process. Their discussion focused on the non-use of force, the return of refugees and internally displaced persons to the Gali district, and economic rehabilitation measures, based on two draft texts entitled "Agreement on peace and guarantees for the prevention of armed confrontation" and "Protocol on the return of refugees to the Gali district and measures for economic rehabilitation". During the meeting, the two sides clarified their respective views, produced new working drafts of both documents and agreed to continue bilateral consultations on this matter.

8. On 26 March, in pursuance of decisions taken at the meeting on confidence-building measures held at Istanbul in June 1999, my Special Representative brought to Sukhumi a representative of the Georgian press agency Caucasus Press for consultations with Abkhaz counterparts. As a result of those consultations, specific agreements on bilateral cooperation in the field of information were reached. During the reporting period, international and local non-governmental organizations, academic institutions and the United Nations Human Rights Office in Abkhazia, Georgia, have continued to facilitate "people's diplomacy" contacts and civil society development.

9. On 9 April, President Shevardnadze was re-elected to his position in Georgia's presidential elections.

III. Operations of the United Nations Observer Mission in Georgia

10. The Mission has continued to carry out its mandate in accordance with the concept of operations outlined in my previous reports. It conducts daily ground patrols from the mission headquarters in Sukhumi and the two sector headquarters in Gali and Zugdidi, as well as weekly helicopter patrols covering the whole area of responsibility, except the upper Kodori Valley (see S/2000/39, para. 24).

11. It will be recalled that, in the wake of the hostage-taking incident of 13 October 1999 (see S/1999/1087, para. 18), UNOMIG appealed to the Georgian Ministry of Defence to provide sufficient security to enable the Mission to carry out its observation mandate in the Georgian-controlled upper part of the valley and recover United Nations property from its former team base. Regrettably, the Georgian authorities have so far been unable to provide the required security guarantees and to bring to justice the perpetrators of the October 1999 incident. Meanwhile, regular ground and air patrols have continued in the Abkhaz-controlled lower part of the valley with security provided by the CIS peacekeeping force and the Abkhaz authorities.

12. During the reporting period, the two helicopters deployed to the Mission in March 1998 and July 1999 played a critical security and operational role, and were utilized in the implementation of special projects related to the peace process. The two aircraft were the sole means of transport between the two sectors during two periods of restricted movement, namely, from the beginning of the year until 10 February, when patrolling on the main road through the Gali sector was suspended following a landmine incident (see S/2000/39, para. 17) and from 30 January to 21 February, when the main bridge over the Inguri River was blocked by demonstrators demanding the release of relatives who had been taken hostage.

13. Since the signing of the protocol establishing the Joint Investigation Group at the ninth session of the Coordinating Council, in January 2000 (see S/2000/39, para. 5), 5 new investigations have been taken up by the Group, and 14 investigations begun earlier are still under way. By emphasizing transparency in investigations and allowing personal contacts at the working level, the Group has reduced mistrust and tension on the ground. It is thus becoming a valuable element of improved security in the area of conflict, although some issues relating to the status of those individuals who, until now, have represented the Georgian side in the Group still remain unresolved.

IV. Situation on the ground

14. The situation in the UNOMIG area of responsibility remained generally calm although unstable during the reporting period, and there were no significant violations of the Moscow Agreement. However, there continues to be a high level of criminal activity along and across the ceasefire line, indicating the fragility of cooperation between the parties and the limits to effective action by the competent law enforcement organs.

15. Tensions reached a peak on 25 January 2000 when two Abkhaz militiamen were killed in an ambush near the village of Dikazurga in the Gali district, close to the ceasefire line. On the same day, three Abkhaz men, reportedly linked to organized crime structures in the Gali district, were killed during a meeting with individuals from Zugdidi, and two Abkhaz who survived the shooting were taken into custody by Georgian law enforcement personnel. Abkhaz demonstrations in the Gali district in the aftermath of these incidents created an atmosphere of considerable tension and raised fears of retaliatory measures. Unconfirmed rumours of military preparations on both sides of the ceasefire line also led to a fear of escalation. These events occurred against a background of tit-for-tat abductions on both sides of the ceasefire line, which had begun in December 1999 (see S/2000/39, para. 19).

16. In accordance with the Protocol signed at the meeting held on 3 February at Sukhumi, which had been convened to address the situation described above, one abductee was released by the Abkhaz side as a gesture of good will. However, the exchange process quickly broke down because the Georgian side declared itself unable to implement some of the provisions of the Protocol within the established time frame. Following further intensive mediation efforts by both my Special Representative and the Chief Military Observer, the exchange of four men held by the Georgian side and seven men and one woman held by the Abkhaz side eventually took place on 29 March. The operation involved the use of the two UNOMIG helicopters to execute simultaneous take-offs and landings between the two sides. The successful exchange noticeably improved mutual confidence in the zone of conflict and decreased tensions.

17. Despite the good will fostered by the successful hostage exchange, the beginning of April witnessed two serious ambush attacks against Abkhaz law enforcement personnel in the lower Gali district in which eight militiamen were killed and seven wounded. The incidents sharply heightened tensions and fears of retaliation on the ground. In the aftermath, my Special Representative and the Chief Military Observer exercised their good offices to urge the two parties to show restraint, and both engaged in direct bilateral communication by telephone to discuss the matter.

18. Efforts by UNOMIG to implement the other two provisions of the Protocol of 3 February 2000 have met with mixed results. The verification of the numbers of security personnel on both sides of the ceasefire line and their reduction in accordance with pre-established ceilings, in pursuance of the first provision of the Protocol, were hampered by sometimes imprecise information from local commanders and by continuing discrepancies in the figures. The second provision of the Protocol stipulates that the parties, together with the CIS peacekeeping force and UNOMIG, should take steps to bring about the withdrawal of illegal armed groups from the security and restricted weapons zones. To this end, UNOMIG has deployed the necessary observation and reporting mechanism. It has no mandate, however, to actually remove such groups.

19. In a familiar pattern, the spring planting season is drawing increasing numbers of displaced local residents back into the Gali district to tend their land. The process of spontaneous resettlement is thus continuing, albeit in a precarious security environment.

V. Security situation

20. The security and safety of UNOMIG personnel remains the highest priority for the Mission. Although the number of criminal acts directed at UNOMIG over the reporting period has been rather small, these acts nevertheless cause concern. On 15 March 2000 in Gali town, a local employee of UNOMIG and his wife were both shot and injured, the wife seriously, in an apparent robbery attempt in their home. Also in the Gali district, on 17 March, a UNOMIG international civilian security officer was robbed at gunpoint and, on 6 April, two United Nations military observers and a member of an international non-governmental organization were also robbed at gunpoint. UNOMIG has appealed to the authorities in Sukhumi, Gali and Zugdidi to improve security conditions for the Mission. UNOMIG security

regulations are being regularly reviewed in the light of developments and the Mission's evacuation plan is currently undergoing a comprehensive revision.

VI. Cooperation between the Mission and the collective peacekeeping force

21. Relations at all levels with the CIS peacekeeping force continue to be good. The recently promoted Commander of the force, Lieutenant General Sergei Korobko, has developed a practice of frequent communications and consultations with the Chief Military Observer. Security arrangements by the CIS peacekeeping force in respect of UNOMIG are regularly tested and UNOMIG continues to feel confident that it can rely on the force's assistance in emergency situations.

VII. Humanitarian situation and human rights

22. During the reporting period, humanitarian agencies continued to provide for the acute needs of the most vulnerable elements of the population, as outlined in my previous report (S/2000/39, paras. 26 and 27).

23. In the Gali district, the activities of the humanitarian community remained limited and did not meet the actual needs of the population. International aid agencies continue to find it difficult to provide assistance to returnees to the district because, in their view, security conditions are still inadequate. In other areas, looting associated with the activities of criminal gangs at times compels the agencies to deliver humanitarian assistance under the armed protection of the CIS peacekeeping force. In the absence of acceptable security guarantees for both returnees and humanitarian aid workers, agencies are reluctant to undertake programmes that may encourage returns.

24. In addition to increasing vulnerability inside Abkhazia, Georgia, the conflict has also left tens of thousands of internally displaced persons elsewhere in Georgia in a precarious condition, in effect locking them out of the benefits that could accrue to them from participation in longer-term development initiatives. In order to address this issue, the Government of Georgia, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the World Bank, and the Office for the Coordination of Humanitarian Affairs have developed a New Approach to assistance to internally displaced persons, which recognizes the right of all persons to return to their homes in secure conditions. However, in the absence of those conditions, the new approach also recognizes the right of internally displaced persons to be treated in the same manner as all Georgian citizens and favours giving them the opportunity to build skills and a level of self-reliance that will enable them to reintegrate into society when they eventually return to their homes. President Shevardnadze has recently established a commission, chaired by the State Minister, to facilitate the elaboration of the new approach in conjunction with United Nations agencies and the World Bank. It is encouraging that Member States, the World Bank and United Nations agencies have made preliminary pledges of over US$ 1 million to the Self-Reliance Pilot Fund established by the partners in the new approach to catalyse financing for innovative projects that contribute to the self-sufficiency of internally displaced persons.

25. The United Nations Human Rights Office in Abkhazia, Georgia, continues to monitor the human rights situation in the region. Cases of human rights violations have been brought to the attention of the Abkhaz de facto authorities. Most of the cases relate to property rights and residence permits; pension entitlements and humanitarian allowances; robberies; and harassment in the workplace or in the neighbourhood on ethnic or gender grounds. On the positive side, the reporting period saw the conclusion of a case followed closely by the Office: on 23 February, the daughter of a UNOMIG staff member who had been kidnapped and held for ransom in November 1999 was freed in a successful operation launched by the Abkhaz security forces.

26. On 28 March, my Special Representative hosted a ceremony to mark the release of Abkhaz-language translations, completed under the sponsorship of the Human Rights Office, of two human rights documents, the International Bill of Human Rights and "ABCs of teaching human rights". The Abkhaz leader, Mr. Ardzinba, and other representatives of the Abkhaz leadership and civil society attended the ceremony. During the reporting period, the Office also continued its programme of book donations to libraries and

educational institutions; initiated a prison visit project; and entered into discussions with the local television station concerning the broadcasting of a human rights series.

VIII. Social and economic aspects

27. During the reporting period, the Parliament of Georgia approved a budget for the year 2000 which envisages expenditures of approximately 1.25 billion Georgian lari. Revenues for the year are expected to amount to approximately 870 million lari, with a consequent projected deficit of 380 million. The approved budget, which is in accordance with recommendations made by the International Monetary Fund (IMF), improves Georgia's chances of receiving financing and loans from IMF, multilateral institutions and other donors.

28. In Abkhazia, Georgia, the authorities have declared a significant increase in the budget revenues collected in 1999 and estimate that the budget will continue to increase by approximately 50 per cent annually. An increase in pensions and wages paid to employees on the "state" payroll was also announced. Despite these positive signs, the majority of the population remains unemployed. Educational and work opportunities are still lacking, and the exodus of young, capable residents in search of better opportunities elsewhere continues.

IX. Observations

29. My Special Representative, supported by the Russian Federation in its capacity as facilitator, the Organization for Security and Cooperation in Europe and the group of Friends of the Secretary-General, continues his efforts to further the Geneva peace process, working simultaneously with the Friends of the Secretary-General on the question of the distribution of constitutional competencies and with the parties on practical issues, including refugee return, economic rehabilitation and the non-resumption of hostilities. The most important regular mechanism of the process remains the Coordinating Council, which should continue to meet regularly, under the chairmanship of my Special Representative, preserving the format and pursuing the goals set forth in its statute. Both sides should make still more active use of this machinery.

30. Since the beginning of the United Nations-led peace process, the ultimate goal has been the comprehensive settlement of the conflict, including defining the status of Abkhazia within the State of Georgia, on the basis of Georgian territorial integrity, sovereignty and independence, and the imprescriptible right of refugees and displaced persons to return to their previous places of permanent residence. I welcome the readiness demonstrated by the Abkhaz leader, Mr. Ardzinba, to engage in a dialogue concerning elements of the political settlement of the conflict, and I call particularly on the Abkhaz side to be ready to consider the proposals now in preparation so as to bring about progress on key issues of the political settlement.

31. I welcome the new approach to assistance to internally displaced persons and its attempts to improve the extent to which such persons exercise their rights and have access to opportunities as citizens of Georgia. At the same time, both sides should be reminded that providing a safe, secure and dignified return for all refugees and internally displaced persons who desire it is essential. In particular, the undefined and insecure status of spontaneous returnees to the Gali district is a matter that must be addressed urgently. At the same time, the current situation in the district indicates that a process of improvement of security conditions for returnees may be beginning, which could facilitate discussion of policies to better meet the needs of the returnees.

32. The creation of the necessary security conditions for the return of refugees and internally displaced persons, together with the provision of a proper security environment for the work of UNOMIG and other agencies and organizations, remain primarily the responsibility of the two sides. The meeting at Sukhumi on 3 February demonstrated that direct bilateral contacts continue to be the most effective means for allaying fears and reducing tensions. In the same spirit, increased communication between the sides in the zone of conflict has also proved to be a practical means to increase cooperation and build confidence. Both sides should continue to participate actively in the work of the Joint Investigation Group, take further steps towards the full implementation of the Protocol of 3 February, and continue in the future

to turn to each other, as a first resort, whenever security concerns arise.

33. The confidence-building measures component of the process has lagged somewhat owing to the mistrust engendered by the long delays in the exchange of detainees. I therefore note with satisfaction the good will demonstrated by the two sides that brought about the successful exchange of hostages on 29 March. Firm steps must be taken against the practices of hostage-taking and abduction, whether for political or pecuniary reasons. I call on both sides actively to consider the paper prepared by my Special Representative concerning implementation of the confidence-building measures agreed on during the meetings held at Athens and Istanbul, in October 1998 and June 1999, respectively (see S/2000/39, para. 6) and to work out means for their full implementation.

34. In conclusion, I would like to express my appreciation to the men and women of UNOMIG for their steadfast service in the cause of peace in difficult and sometimes dangerous conditions.

Annex

Composition of the United Nations Observer Mission in Georgia as at 15 April 2000

Country	*Military observers*
Albania	1
Austria	5
Bangladesh	7
Czech Republic	5
Denmark	5
Egypt	3
France	3
Germany	10
Greece	4
Hungary	7
Indonesia	4
Jordan	6
Pakistan	6
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
Uruguay	3
United States of America	2
Total	**102**

Map No. 3837 Rev. 24 UNITED NATIONS
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Security Council

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Original: Arabic

Letter dated 25 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 24 April 2000 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the acts of armed aggression being undertaken by the Kuwaiti authorities against vessels in Iraq's territorial waters, and Iraq's reaffirmation of its right to respond appropriately to such acts of aggression in future.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

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Annex to the letter dated 25 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

I have the honour to inform you that on 22 March 2000, Kuwaiti patrol boats, accompanied by a helicopter, entered Iraqi territorial waters, intercepted two ships that were under way near the seaward entrance to the Khawr Abdullah, between buoys 7 and 9, and escorted them into Kuwaiti waters. One of these ships, the *Alwan*, was of Panamanian registry and carried a crew of 18, while the other, the *Umm al-Banin*, was of Honduran registry and carried a crew of 12.

Kuwaiti patrol boats also entered Iraq's territorial waters on 23 March 2000, when they intercepted a ship, the *Al-Rahman*, which was steaming seaward between buoys 7 and 9, inside Iraq's territorial waters, 25 kilometres north-west of Mina al-Bakr and seven kilometres from the coast of Iraq, and compelled it to head towards Kuwaiti waters. The ship in question was of Belizean registry and carried a crew of 18.

These actions by the Kuwaiti authorities, entering Iraq's territorial waters and forcibly intercepting ships in those waters, constitute a flagrant violation of the sanctity of Iraq's territorial waters and an act of armed aggression against its sovereignty. In protesting against these acts of aggression, we request that you intervene with the authorities in question with a view to bringing a halt to their incursions into Iraq's territorial waters in future. In the event of further such incursions, we reserve the right to respond appropriately.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2000/346*

Security Council

Distr.: General
27 April 2000
English
Original: Arabic

Identical letters dated 25 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 24 April 2000 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the acts of armed aggression being undertaken by the Kuwaiti authorities against vessels in Iraq's territorial waters, and Iraq's reaffirmation of its right to respond appropriately to such acts of aggression in future.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

* Reissued for technical reasons.

00-40799 (E) 270400

Annex to the identical letters dated 25 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to inform you that on 22 March 2000, Kuwaiti patrol boats, accompanied by a helicopter, entered Iraqi territorial waters, intercepted two ships that were under way near the seaward entrance to the Khawr Abdullah, between buoys 7 and 9, and escorted them into Kuwaiti waters. One of these ships, the *Alwan*, was of Panamanian registry and carried a crew of 18, while the other, the *Umm al-Banin*, was of Honduran registry and carried a crew of 12.

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(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq